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Honduras

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I. Methodology and consultation process

1. The present report was prepared on the basis of consultations and information meetings with State bodies and with civil society organizations working in the field of human rights. The United Nations Development Programme (UNDP) office in Honduras provided technical assistance and funding for its preparation. This second report represents a significant effort on the part of the Government of Honduras as it strives to fulfil the country's international obligations. The fact that a significant number of non-governmental organizations contributed to the preparation of this report attests to the State's desire to encourage the active participation of such bodies.

2. As part of the work that went into preparing the report, seven seminars were held in September, October and November 2014 (six in Tegucigalpa and one in San Pedro Sula). A large number of State agencies and civil society organizations working in the field of human rights were convoked, and a working group was then set up by the Minister of Human Rights, Justice, Governance and Decentralization. Although the report itself was prepared between September 2014 and January 2015, Honduras had previously submitted a voluntary interim report in 2013 as part of its follow-up to the universal periodic review. The wide- ranging consultations carried out on the Public Policy and National Action Plan on Human Rights for 2011–2013, an instrument that was heavily influenced by the recommendations made during the universal periodic review, also informed the preparation process.

3. The report covers the period between the final quarter of 2010 and the first quarter of 2015, which spans a significant portion of President Porfirio Lobo's time in office (2010–2014) and the first year of President Juan Orlando Hernández's mandate (2014–2018). Its main focus is on State efforts to promote and protect human rights, although, as noted earlier, civil society organizations also play a valuable role in that regard.

II. Normative and institutional developments since the first review

A. Political context

4. In 2010, Honduras submitted its first report for the universal periodic review to the Human Rights Council, which made a series of recommendations. The present report reflects the steps taken by the Government of Honduras to implement those recommendations. The report is being submitted at a time when the country is undergoing a major political renewal marked by the appearance of new political forces representing a broad portion of the ideological spectrum. During this period the country has been an active participant in international forums, has expanded its diplomatic relations to include a larger number of countries and has been experiencing a moderate pace of economic growth. It has also been a period during which sustained efforts have been made to enable Honduran citizens to exercise their rights and freedoms more fully.

5. It should first be noted that the overwhelming majority of national and international observers agreed that the presidential, congressional and mayoral elections of 24 November 2013 went smoothly and that voter turnout was high. Moreover, in most cases, ballots were counted and voting records reported properly, and the three main political parties were represented at almost all of the polling stations. During the campaign, parties and candidates had the opportunity to exercise freedom of expression, association and movement when putting forward their proposals and reaching out to voters in public places

and through electronic and online media. The Supreme Electoral Court ensured that all political bodies were aware of and took part in major decisions and preparations related to the electoral process.[1] (Recommendations 82.60, 82.100).

B. Normative and institutional framework

6. **Bringing national legislation into line with international human rights standards** (Recommendation 82.3). The Criminal Code has been amended and now defines enforced disappearance as a specific offence. This amendment (adopted in April 2012) introduced article 333-A, which deals with offences committed by public officials in violation of constitutional rights.[2] That legislation was introduced in order to bring Honduran law into line with the commitments made by Honduras upon its adoption of the Inter-American Convention on Forced Disappearance of Persons (ratified by Honduras on 28 April 2005). (Recommendation 82.28).

7. The definition of the offence of torture has also been harmonized with international standards by means of an amendment of article 209-A of the Criminal Code that was passed by Congress in March 2011 (Recommendations 81.1, 82.25 and 82.27; and voluntary commitment (c)).[3] In February 2013, the definitions of the offences of discrimination and incitement to hatred were brought into line with international standards through the incorporation of the offences of discrimination on the basis of sexual orientation, gender identity and membership in an indigenous minority or an Afro-descendent community into article 321 of the Criminal Code. Incitement to hatred was made a criminal offence through the insertion of article 321-A on incitement to hatred, discrimination or persecution based on the basis of the criteria set out in article 321.[4] (Recommendations 81.1, 82.18, 82.21, 83.4, 83.7 and 83.8).

8. **National human rights institution.** On 25 March 2014, Congress elected Doctor Roberto Herrera Cáceres as the new National Commissioner for Human Rights.[5] In July 2014, the Office of the National Commissioner for Human Rights submitted its plan for the period 2014–2020, entitled *Vanguardia de la Dignidad Humana* (At the Forefront of Human Dignity), and, at its request, has been receiving assistance from the representative of the United Nations system in Honduras in ensuring that its implementation of the plan is in line with the Paris Principles, the main international standard relating to the independent and effective functioning of national human rights institutions.[6] (Recommendations 82.5, 82.6 and 82.7).

9. **Creation of a human rights portfolio in the Cabinet.** In September 2010, for the first time in the history of Honduras, a specific ministerial portfolio for human rights was established.[7] Under the Administration of President Lobo, the newly established Ministry of Justice and Human Rights assumed responsibility for facilitating the Government's dialogue with the international human rights community. The Ministry was also tasked with developing or acting as an advocate for initiatives for bringing national legislation into line with human rights standards, designing the Public Policy and National Action Plan on Human Rights, as well as holding consultations regarding its contents and securing its adoption, holding human rights awareness-raising and training activities for public officials, and monitoring compliance with the recommendations of the Truth and Reconciliation Commission. In December 2013, as part of an effort to balance the budget by using available resources more efficiently while maintaining, insofar as possible, existing levels of public service, the President-elect asked Congress to approve a package of measures that involved merging some ministerial portfolios. Consequently, in January 2014, the Ministry of Justice and Human Rights and the Ministry of the Interior and Population were merged to form the Ministry of Human Rights, Justice, Governance and Decentralization.[8] This consolidation has encouraged cooperation regarding departmental and municipal issues that

had traditionally been dealt with by the ministers holding the internal affairs and governance portfolios. (Recommendation 82.67).

10. **Truth and Reconciliation Commission.** In its report of 7 July 2011, the Truth and Reconciliation Commission set out 84 recommendations which were based on consultations with more than 2,100 leaders in 26 urban centres spread across the country's 18 departments. The office responsible for the follow-up to the recommendations of the Truth and Reconciliation Commission[9] supported and monitored the implementation of the measures in question. By December 2013, 69 of those recommendations had been or were being implemented. The annexes to the present document contain the second report submitted by that office. (Recommendations 82.6 and 82.82).

11. **The human rights policy and plan.** The Public Policy and National Action Plan on Human Rights for 2013–2022[10] represents the continuation of actions taken in fulfilment of commitments made by Honduras at the World Conference on Human Rights, held in Vienna in 1993. The aim of the policy and action plan is to mainstream a human rights perspective into all State actions. This initiative is the outcome of wide-ranging consultations at the national, regional and local levels with civil society, trade unions, churches, media outlets, academia, State bodies at all levels and international cooperation agencies. The annexes attached hereto include a copy of the policy and a preliminary report on the implementation of the policy and action plan as at December 2014. (Recommendations 82.12, 82.18 and 82.11 and voluntary commitment (a)).

C. Fulfilment of commitments and dialogue with international human rights organizations

Relations with the universal system for the protection of human rights

12. **Submission of reports to treaty bodies.** During the reporting period, Honduras submitted the following reports: (i) its initial report under the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (15 November 2012); (ii) a report under the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (15 November 2012); (iii) a report to the Committee on the Elimination of Racial Discrimination (28 December 2012); (iv) its combined fourth and fifth reports under the Convention on the Rights of the Child (9 September 2013); (v) its initial report on the rights of persons with disabilities (31 December 2013); and (vi) its second report to the Committee on Economic, Social and Cultural Rights (5 May 2014). The preparation of these reports represent not only an effort on the part of the Government of Honduras to bring its fulfilment of its commitments to the treaty bodies up to date, but also an integral part of its effort to inform and consult with national stakeholders. (Recommendation 82.40).

13. **Visits by special rapporteurs and working groups.** During the reporting period, five thematic mechanisms accepted the invitations extended by the Government of Honduras to visit the country (one of the mechanisms visited twice): (i) the Special Rapporteur on the situation of human rights defenders (February 2012); (ii) the Special Rapporteur on the sale of children, child prostitution and child pornography (August–September 2012 and April 2014); (iii) the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression (August 2012); (iv) the Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination (February 2013); (v) the Special Rapporteur on violence against women, its causes and consequences (June–July 2014); and (vi) the Subcommittee on Prevention of Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (April–May 2012). The recommendations contained in

the reports drawn up in the light of those visits were taken into account when formulating and updating the Public Policy and National Action Plan on Human Rights. (Recommendations 82.19, 82.25 and 82.40).

14. **Relations with the Inter-American system for the protection of human rights.** The State party's relations with the two main bodies of the inter-American system are marked by close cooperation and mutual respect. Five visits were made by special rapporteurs and representatives of the Inter-American Commission on Human Rights (IACHR) during the reporting period: (i) an IACHR delegation was sent to follow up on the onsite visit carried out in 2009 (May 2010, May 2013 and December 2014); (ii) the Rapporteur on the Rights of Persons Deprived of Liberty (April 2012 and August 2013); and (iii) the Rapporteur on the Rights of the Child (October 2013). The recommendations contained in the reports on these visits were taken into account when formulating and updating the Public Policy and National Action Plan on Human Rights.

15. **Cases before the Inter-American Commission on Human Rights and the Inter-American Court of Human Rights.** Between 2010 and 2014, the Office of the Counsel-General of the Republic dealt with a number of cases which have reached different stages in the course of their consideration by IACHR. The following cases are currently before the Inter-American Court of Human Rights: (i) *Garifuna Community of Triunfo de la Cruz*; (ii) *Garifuna Community of Punta Piedra*; and (iii) *López Lone et al.* (decisions are pending regarding the first two cases and a public hearing regarding the third case is to take place in February 2015).

16. Compliance with judgements of the Inter-American Court of Human Rights. (i) On 27 April 2012, a judgement was issued on the merits and on reparations and costs in the *Rafael Pacheco Teruel et al.* case relating to a fire at the San Pedro Sula prison in 2004. The State made every effort to identify the families of all the victims and to process the first compensatory payments. The prison system is gradually being reformed as well; (ii) On 10 October 2013, a judgement on the merits and on reparations and costs was issued in the case of *Carlos Luna López*. Although the Court did not attribute any responsibility to agents of the State, it found it necessary to order the adoption of several measures in order to place due weight upon the State's duty to guarantee the right to life of persons within its jurisdiction. On 19 May 2014, the State made a public statement of apology and recognition. It also published the judgement in the official gazette,[11] and a summary of that judgement was published in a major national daily newspaper. In addition, a bill on the protection of human rights defenders, journalists and justice officials [12] is currently undergoing its second reading before Congress.

17. Ratification and deposit of international instruments since the first reporting cycle. During the reporting period, the following instruments of the universal system for the protection of human rights were adopted, ratified and/or deposited (Recommendation 82.1): [13] (i) the Optional Protocol to the Convention on the Rights of Persons with Disabilities, with the corresponding instrument of ratification being deposited on 16 August 2010;[14] (ii) the Convention on Cluster Munitions, ratified by Congress in August 2011;[15] (iii) the Convention relating to the Status of Stateless Persons, ratified by Congress in June 2012;[16] the Convention on the Reduction of Statelessness, ratified by Congress in July 2012;[17] and (vi) the Convention against Discrimination in Education, ratified by Congress in March 2013.[18] (Recommendation 83.4). In February 2013, Congress withdrew the State party's reservations to articles 24, 26 and 31 of the Convention relating to the Status of Refugees.[19]

18. In July 2011, Congress ratified International Labour Organization (ILO) Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144).[20] As part of its implementation of that Convention, Honduras promulgated the Economic and Social Council Act in January 2014.[21] The Council provides a forum for dialogue among

representatives of the Government, employers and workers and is authorized to issue opinions and make recommendations regarding strategic issues dealt with by the State, such as wage, employment and occupational training policies. On 2 November 2012, Honduras deposited the instrument of ratification for the ILO Social Security (Minimum Standards) Convention, 1952 (No. 102), thereby undertaking to adopt certain legal and practical measures and submitting itself to the scrutiny of ILO supervisory bodies. Practical steps regarding compliance have already been taken in the form of the passage of a new law on retirement and pensions for public officials in 2014 and the preparation of a bill that would amend the social security system. (Recommendations 82.1 and 82.101).

19. The following instruments of the Inter-American system for the protection of human rights have also been deposited (Recommendations 82.1 and 82.2): (i) the Protocol to the American Convention on Human Rights to Abolish the Death Penalty; (ii) the Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social and Cultural Rights (also known as the Protocol of San Salvador); (iii) the Inter-American Convention on the Elimination of All Forms of Discrimination against Persons with Disabilities; and (iv) the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children. The three instruments of ratification were submitted to the Secretary General of the Organization of American States (OAS) on 10 November 2011.[22]

III. Progress, achievements, constraints and challenges regarding the promotion and protection of human rights in Honduras, 2010–2014

A. Security and justice

20. **The challenge posed by violence and its predominantly transnational causes.** Over the past 12 years, Honduras has witnessed a considerable rise in the murder rate. This trend is closely linked to the increase in organized crime, particularly drug trafficking. It has been calculated that 86 per cent of the cocaine trafficked to the United States of America in the first half of 2013 was brought in through the Mexico-Central America corridor. Furthermore, in 2012 an estimated 75 per cent of all cocaine-smuggling flights departing from South America first landed in Honduras.[23] Adolescents and young adults, women, lawyers, journalists, members of sexual minorities, inhabitants of the Lower Aguán Valley caught up in the ongoing agrarian conflict there and urban public transport drivers who refuse to pay protection money are prime targets of violent assaults. Although it is clear that there is no systematic pattern of involvement of State agents in the commission of such offences, a great deal remains to be done in order to improve the effectiveness of criminal investigations and to fight impunity.

21. **An encouraging reduction in the murder rate over the past three years.** During the reporting period, both the previous and present Administrations made a determined effort to improve the security situation in Honduras. As a result of that work, the murder rate, after peaking in 2011, fell considerably in 2012–2014 for the first time in almost a decade.[24] That general downturn in violent offences will definitely have an impact in the short or perhaps medium term in the form of a decline in violence directed at particularly vulnerable groups. In the following pages, reference will be made to a number of the measures that may well be behind this trend. (Recommendations 82.17 and 82.22).

22. **Strengthening of the public security system.** Between 2010 and 2014, the State took a number of steps to safeguard the right to freedom and security, such as: (i) the adoption of the Illegally Obtained Assets Forfeiture Act in May 2010;[25] (ii) the adoption — with the support of financially sound Honduran enterprises and the more affluent sectors of

the population — of the Public Security Act in June 2011,[26] which introduced special temporary taxes to fund additional security measures;[27] (iii) the amendment of article 102 of the Constitution in January 2012[28] to permit the extradition of Honduran nationals accused by other States of participating in organized criminal activities; (iv) the adoption of the Special Anti-Corruption Police Act in May 2012[29] and the establishment of the Police Force Investigation and Assessment Directorate in November 2011;[30] (v) the adoption of the Reliability Assessment Superintendency Act adopted in December 2013[31] (these pieces of legislation establish a framework for the dismissal of police officers or justice officials who suffer from psychological problems or addictions or who are guilty of corruption and accumulation of wealth by illegal means); and (vi) the adoption in August 2013 of the Military Police Act, which provides for the establishment of a specialized unit to combat organized crime.[32] (Recommendation 82.25 and voluntary commitment (e)).

23. **Investigation of killings targeting particular groups.** The Office of the Special Prosecutor for Offences Against Human Life was established in August 2013 as part of the Public Prosecution Service,[33] along with the High-Impact Investigation Unit (a task force of prosecutors and investigators focusing exclusively on killings of members of the lesbian, gay, bisexual and transgender community, journalists, lawyers, judges, children and young persons). Although a great deal of work had already been carried out in this respect prior to the creation of these two bodies, new cases are being handled more effectively and pre-existing cases are being processed more rapidly by the expert staff of the new units. Consequently, by October 2014, a total of 42 homicide cases in which the victims were members of sexual minorities had been brought to trial; verdicts had been handed down in 16 of those cases, for a total of 10 convictions. In addition, 12 cases involving journalists or communicators had been brought to trial; 7 judgements (including 4 convictions) have been handed down in these cases, while another 3 are currently being heard by the courts. In addition, arrest warrants for suspects have been issued in 2 cases. Meanwhile, 11 of the 63 cases involving lawyers have been brought to trial, and judgements have been handed down in 4. (Recommendations 81.2, 82.18, 82.19, 82.24, 82.33, 82.34, 82.35, 82.36, 82.37, 82.76, 82.77. 82.78, 82.79, 82.80, 82.95 and 82.96).

24. **Strengthening of the criminal investigation system.** In January 2014, Congress set up the Technical Criminal Investigation Agency, which is attached to the Public Prosecution Service. The Agency is responsible for investigating serious offences which have a strong impact on society.[34] This unit will enable prosecutors to direct investigations more effectively and submit scientific evidence to the courts, particularly in cases involving killings and organized crime, thereby providing safeguards for the rights to due process and effective judicial protection. When selecting candidates to fill senior posts within the Agency and the first group of nearly 100 agents, the authorities took into account not only the know-how and skills of the applicants but also their moral stature. The first batch of recruits completed the initial training phase and began working in the two largest cities in the country in January 2015. (Recommendations 82.37, 82.57, 82.63, 82.65, 82.76, 82.77, 82.78, 82.79, 82.80, 82.95, 82.96 and 83.10).

25. **Measures to reduce violence against women.** Since 2011, 549 cases involving killings of women have been brought to trial, with the Public Prosecution Service obtaining 203 convictions. The executive branch of the Government of Honduras, with the support of other official bodies and civil society organizations, worked to win support for the proposal to amend the Criminal Code and, in February 2013, Congress amended the chapter of the Criminal Code on homicide to incorporate the offence of femicide, which is punishable by from 30 to 40 years' imprisonment.[35] That offence has been on the statute books since 27 April 2013 and is applicable in the case of men who have carried out killings motivated by hatred and disdain for women. (Recommendations 81.1, 82.3, 82.9, 82.18, 82.37, 82.38, 82.39, 82.40, 82.41, 82.42, 82.43, 82.44, 82.45 and 82.46).

26. The National Institute of Women has prepared protocols on service delivery and procedures for shelters and women's centres. These protocols represent systematized compilations of best practices for these protective services. There are currently four shelters for women victims of violence and two centres that provide comprehensive services for women in Honduras. These facilities receive support from the municipal authorities, private donors and other bodies working in the field. (Recommendations 81.1, 81.2, 82.3, 82.8, 82.9, 82.11, 82.18 and 82.21).

27. **Policy to reduce violence against children and young persons.** In an effort to develop a consistent, comprehensive and sustained approach to this issue, the executive branch approved the National Policy on the Prevention of Violence against Children and Young Persons in Honduras in February 2013.[36] That policy was formulated in consultation with State bodies and relevant civil society organizations and is in line with the National Vision and Plan Act.[37] Its objective is to addresses the causes of the vulnerability and victimization of children, adolescents and young persons. The Directorate for Youth of the Ministry of Development and Social Inclusion is currently working to implement this policy on the basis of an action plan that reflects the principles, general lines of action and indicators previously set out in the policy itself. (Recommendations 81.1, 81.2, 82.3, 82.17, 82.18, 82.21, 82.38, 82.40, 82.43, 82.44, 82.45 and 82.46).

28. **Action to curtail the conflict in the Lower Aguán River Valley.** The conflict between campesinos and large-scale exporters of African palm oil in the Lower Aguán River Valley in the Department of Colón is the most serious agrarian issue Honduras has faced in over 35 years.[38] In addition to adopting the social measures referred to in the section on agrarian reform, in September 2011 the executive branch set up the Xaturch II Joint Task Force,[39] which is responsible for carrying out patrols and manning checkpoints in the conflict zone, confiscating weapons in accordance with Legislative Decree No. 117-2012,[40] arresting people for whom warrants have been issued; disbanding criminal groups and carrying out evictions ordered by judicial authorities. The Task Force is made up of members of the armed forces and the national police. Thanks to the emphasis placed by lead members of the Task Force on fostering dialogue between campesino organizations and the large-scale exporters, very few land takeovers occurred in 2014.

29. **Protection of persons at risk.** During the period 2010–2014, the Government made a determined effort to provide protection for hundreds of persons and groups for which precautionary measures were requested by IACHR. A smaller number of provisional measures ordered by the Inter-American Court of Human Rights were also implemented. Most of these cases had initially been raised in 2009. For the most part, the approach taken to the implementation of these protection measures were decided on in consultation with the persons concerned. As part of this effort, two public meetings were held with the beneficiaries of these measures, credentials attesting to the bearers' status as beneficiaries of protection measures were issued and, in February 2010, the Ministry of Security set up the Human Rights Unit, which has been tasked with their implementation.[41] (Recommendations 81.2, 82.18, 82.19, 82.30, 82.31, 82.32, 82.33 and 82.58).

30. **Bill on the protection of human rights defenders.** A bill on the protection of human rights defenders, journalists, social communicators and justice officials is currently undergoing its final reading in Congress. Nationwide consultations on the contents of the bill have been carried out with civil society organizations and other groups. In addition to responding to a very real need and providing a means of implementing a series of recommendations formulated at the time of the first cycle of the universal periodic review, the bill is designed to incorporate a number of resolutions and recommendations of United Nations bodies into Honduran law.[42] The bill provides for the establishment of a national protection council which is to include representatives of the stakeholder groups. A list of preventive, protective and emergency measures is also to be drawn up. The scope of these

measures will be tailored to the type of risk which is found to exist in each individual case. The bill also provides for the establishment of a special mechanism under the supervision of the Ministry of Security to implement the measures. This new mechanism will have to be adequately funded in order for it to be credible in the eyes of the beneficiaries. (Recommendations 81.1, 81.2, 82.18, 82.19, 82.29, 82.30, 82.31, 82.32, 82.33, 82.99, 83.9, 82.93 and 82.96).

31. **Human rights training for military personnel and police officers.** Between 2010 and 2014, the Human Rights and International Humanitarian Law Directorate of the Armed Forces held more than 30 courses and seminars on human rights, international humanitarian law and the prevention of torture, trafficking in persons, and domestic and family violence. Over 17,000 persons took part in these events, including new army recruits, military police, students from the various military academies, officials undergoing training as part of the promotion process and auxiliary personnel from various units. The police force has been incorporating human rights training into its system of instruction since the late 1990s. An assessment of the human rights component of the police training system was carried out, and a proposal for modifying its contents and methodology has been drawn up. That proposal is currently being reviewed. (Recommendations 82.14, 82.15, 82.16, 82.21, 82.27, 82.38, 82.39, 82.41, 82.42, 82.43, 82.44, 82.45, 82.46, 82.49 and 82.68).

32. **Measures to combat trafficking in persons.** In April 2012, Congress passed the Anti-Trafficking in Persons Act.[43] This law is based on a series of international instruments that have been adopted by the State of Honduras and constitutes a comprehensive regulatory framework for efforts to address the issue. It also provides the legal foundation for the Inter-Agency Commission to Combat Commercial Sexual Exploitation and Trafficking in Persons, which is a decentralized body made up of representatives of the three branches of government, the Public Prosecution Service, the Office of the National Commissioner for Human Rights, the National Directorate for Children, Adolescents and Families, the National Institute of Women and an association of municipalities and civil society organizations working in the field.

33. The Inter-Agency Commission lobbies and campaigns for legal reforms, draws up technical regulations and protocols, and conducts training activities. It also provides support for the development of specialized units in the police force and the public prosecution service focusing on the prevention of commercial sexual exploitation and trafficking in persons and the prosecution of cases involving those offences. In addition, it prepares geo-social maps of trafficking routes; promotes the establishment of telephone hotlines for reporting human trafficking; carries out awareness-raising and information campaigns regarding commercial sexual exploitation and trafficking in persons; and implements projects under the auspices of international organizations and friendly countries.[44] (Recommendations 81.1, 82.3, 82.18, 82.21, 82.39, 82.45, 82.47, 82.48, 82.49, 82.50, 82.51, 82.52 and 82.69 and voluntary commitment (d)).

34. **Challenges relating to the prison system and measures for overcoming them.** In May 2012, the new National Prison System Act[45] was adopted as a preliminary step in the transition involved in the establishment of the National Prisons Institute. The transition process is being headed up by a special commission appointed by President Lobo on 24 January 2013. Under an agreement signed by the Commission and the National Occupational Training Institute, the training needs of persons deprived of their liberty have been analysed and an assessment of existing instructional facilities in each of the country's detention centres has been carried out. Furthermore, significant progress has been made in the construction of three facilities for persons being held in pretrial detention and three new prisons, which will reduce overcrowding, particularly in the Tegucigalpa and San Pedro Sula prisons. In September 2014, 300 recruits began a training course that specifically covers the duties of prison guards and human rights. In February 2013, Congress adopted

the Clemency Act,[46] which updates the regulations on eligibility for presidential pardons, the requirements that must be met and the procedures for processing pardon applications. (Recommendations 81.1 and 82.53).

35. **Prevention of torture.** The National Committee for the Prevention of Torture and Cruel, Inhuman or Degrading Treatment was founded on 17 September 2010 when President Lobo swore in the representatives nominated by the legislative and executive branches of government and civil society. In so doing, and thanks to the work of the Ministry of Human Rights, Justice, Governance and Decentralization, the State of Honduras has fulfilled the commitments it assumed upon signing the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and, in particular, the Optional Protocol to that Convention, which calls for the establishment of a national preventive mechanism.[47] Since that time, the Committee has consolidated its position as an independent, permanent national body with administrative, technical and budgetary autonomy.[48] Thanks to the monitoring and training activities conducted by the Committee and its performance in processing complaints and issuing recommendations, both the public sector and civil society now view the Committee as the lead agency for issues relating to prisons and the prevention of torture. In 2014 alone, the Committee made over 200 visits (most of them unannounced) to various places of detention, such as jails, police stations, juvenile offender correctional facilities and psychiatric hospitals. The Committee has also provided training for justice officials, police officers, military personnel, staff of non-governmental organizations and persons deprived of their liberty. As part of its training activities, the Committee has introduced a number of innovations, including a recently launched effort to lay the groundwork for the implementation of the Istanbul Protocol in Honduras.[49] (Recommendations 82.25, 82.27 and 82.111).

36. **The judicial branch of government.** The Council of the Judiciary and Judicial Staff was set up by virtue of the amendment of articles 313 and 317 of the Constitution in order to establish the legal basis for the creation of an independent body to provide judicial oversight and in order to separate administrative activities from judicial matters as such.[50] The law under which the Council was established was adopted by Congress in November 2011,[51] and Council members took up their posts in October 2013. The reporting period was marked by a number of other achievements, such as the creation of the Tegucigalpa Centre for the Realization and Protection of Women's Rights Pilot Project, whose objective is to improve the coordination and integration of services for victims of domestic violence and violence within the family; outreach programmes providing the services of judicial assistants and mobile magistrates' courts to extend access to justice to marginal groups and communities in isolated regions; and the launch of a public information office and web portal whose compliance with the applicable legal requirements was recognized by the Public Information Institute in 2013.[52] In addition, a gender affairs unit was set up in the judicial branch in September 2010 and has been tasked with mainstreaming a gender perspective into all administrative and judicial processes of this branch of government. Together with the Judicial Training College, the unit is responsible for raising awareness of the gender perspective among officials and training them how to apply that perspective in their day-to-day activities.[53] (Recommendations 81.1, 82.15, 82.68, 82.54, 82.55, 82.57, 82.59, 82.60, 82.61, 82.62, 82.70 and 82.71).

37. **Comprehensive reform of legislation covering children, families and women in the sphere of justice.** (Recommendations 81.1, 82.3, 82.4, 82.17, 82.18, 82.21, 82.24, 82.39, 82.40, 82.41, 82.42, 82.43, 82.44, 82.45, 82.46, 82.74, 82.75 and 83.6). In February 2013, Congress adopted far-reaching amendments to the Code on Children and Adolescents and the Family Code. These amendments have not only updated those codes, but also provide greater access to justice for children and women.[54] A number of recommendations made by the Committee on the Rights of the Child were taken into account in the formulation of the amendments to the Code on Children and Adolescents in order to

strengthen child protection systems and restructure the juvenile justice system. The amendments to the Family Code are aimed at making adoptions more secure and improving the provisions on marriage and child maintenance payments. Definitions of the offences of sexual harassment and of emotional or physical child abuse were introduced into the Criminal Code. The Code of Criminal Procedure was also amended to make it possible for the public prosecutor to initiate proceedings in cases involving the offence of refusal to maintain an elderly family member. In addition, the Domestic Violence Act was amended to strengthen victims' rights.

38. Pursuant to the abovementioned amendments, in June 2014 the current Administration set up the National Directorate for Children, Adolescents and Families of the Ministry of Development and Social Inclusion to take the place of the now-defunct Honduran Institute for Children and the Family.[55] One of the main priorities for the National Directorate has been the juvenile justice system. Work is being carried out to upgrade the infrastructure of the system's custodial teaching facilities, the equipment in those facilities and the teaching methodologies used. Steps are also being taken to relaunch restorative justice programmes that make use of non-custodial measures.

B. Democracy and participation

39. **Expansion of participatory democracy.** In February 2011, articles 5 and 213 of the Constitution were amended to increase the number of matters on which the Honduran people may be consulted in plebiscites and referendums. The mechanism of popular or citizens' initiatives for the submission of bills to Congress was also established.[56] The provisions governing these measures are set forth in the Act on Public Participation Mechanisms of December 2012.[57] (Recommendations 81.1 and 82.60).

40. **Equal access to elective offices.** In 2012, the Elections and Political Organizations Act was amended to introduce a quota for the participation of female candidates; the quota was initially 40 per cent, for the 2012–2013 elections, and was subsequently raised to 50 per cent for the 2016–2017 primary and general elections.[58] (Recommendations 81.1, 82.3, 82.21 and 82.60).

41. **Establishment of due process safeguards in cases involving the dismissal of senior officials.** In January 2013, in response to recommendations issued by the Truth and Reconciliation Commission, Congress amended the Constitution to introduce the concept of impeachment proceedings.[59] Then, in March 2013, it passed the Specialized Impeachment Act to govern the new process more effectively.[60] (Recommendations 81.1 and 82.82).

42. **Strengthening the rights to freedom of association and access to public service.** In April 2011, Congress adopted the Special Act on the Promotion of Non-governmental Organizations for Development.[61] The Act, which is the first to give effect to the right to freedom of association as defined in article 78 of the Constitution, enhances the legal certainty of non-profit organizations, associations and foundations and defines their rights and obligations. June 2012 saw the entry into force of the Municipal Administration Employment Act, which focuses on the establishment of a civil service system at the local government level.[62] In December 2013, the *Patronato* and Community Associations Act was adopted to govern the activities of neighbourhood and residential associations.[63] The Act gives effect to the right to freedom of association at the departmental, municipal and neighbourhood levels,[64] as provided for in article 302 of the Constitution, and is designed to help foster self-governance. (Recommendation 81.1).

43. **Access to information and the protection of private data.** During the reporting period, the Public Information Institute has been further strengthened. The Institute has succeeded in establishing a network of public information officers that encompasses all

central and local government institutions. The officers receive ongoing training and support in their work and represent the front line for citizens requiring guidance or wishing to submit petitions. Since 2010, the total number of requests received by these officers has been in excess of 2,000 per year.[65] In 2012 alone, they handled 2,836 cases, of which 2,596 (92 per cent) were resolved successfully.[66] If requests for access to public information cannot be granted at this level, the Institute steps in and assists petitioners to file requests for supervisory reviews. The Institute also plays a very active role in disseminating information about the Transparency and Access to Public Information Act and about Organization of American States and United Nations anti-corruption conventions. In addition, it conducts activities designed to raise awareness among public officials, civil society organizations, university students and trainee teachers. Between 2010 and 2014, more than 8,000 people received training each year, with the figure reaching 12,827 in 2013 alone. As to the protection of private data, in January 2013 Congress amended article 182 of the Constitution to include the remedy of *habeas data* as a mechanism for the protection of private data and the rights to honour, privacy and self-image.[67] (Recommendations 81.1, 81.3, 82.91, 82.92 and 82.93).

44. Promotion of freedom of expression and freedom of the press in alternative and community sectors. The last two Administrations have endeavoured to promote alternative forms of expression. As a result of their efforts, there are now 22 community radio stations in the country that are run by non-governmental organizations, churches, universities, community associations and indigenous and Afro-Honduran organizations. The Miskito people alone have been assigned five radio frequencies. There are also two community television channels, one for the Garifuna people and one for the Miskito people. (Recommendation 81.3 and voluntary commitment (b)).

C. Development and equity

1. Economic, social and cultural rights and the fight against poverty

45. **Social policies and programmes.** (Recommendations 81.1, 82.18, 82.102 and 82.103). The main objective of the social protection policy adopted in March 2012[68] is to take a phased, progressive approach to the creation of social conditions conducive to personal and collective well-being. It represents a deliberate extension of efforts begun under earlier Administrations[69] and, as such, is akin to a State policy, inasmuch as it is intended to transcend specific presidential terms. The policy is aligned with national and international human rights standards and has been endowed with a specific legal framework by the Framework Act on Public Social Policies of April 2011,[70] which specifies the principles, bodies, resources and forums for public participation that are to be involved in the formulation and implementation of social policies. This law also provides that the implementation and monitoring of such policies is the designated task of a specific high-level executive body, the Ministry of Social Development, which was established in 2010.

46. Initiatives launched within this policy framework include the "*Bono 10 Mil*" Presidential Programme on Health, Education and Nutrition,[71] which grants cash transfers to households on the condition that shared responsibilities in the areas of health, education and nutrition are fulfilled by programme beneficiaries. This initiative has been implemented under the last two Administrations.[72] Under the present Administration, the Better Life Programme provided housing improvements that contribute to more healthful living conditions (such as water filters, latrines, environmentally friendly heaters, cement floors, water storage tanks and roofs) to more than 47,000 families in 2014. Support for microenterprises and family farms has helped to generate more than 24,000 income streams in 2014 alone, with a majority of the beneficiaries being women who have set up family or

community food gardens or microenterprises that produce staple foodstuffs. In 2012, the Public Policy for Comprehensive Early Childhood Development was adopted.[73]

47. **Agrarian reform.** Since 2010, the preceding and current Administrations have not only promoted and endorsed two agreements between peasant organizations and large-scale agricultural exporters but have also taken steps to improve the security situation in the Lower Aguán Valley. The first agreement was signed on 23 April 2010 and the second on 17 June 2011. The Movimiento Unificado Campesino del Aguán (Unified Peasant Movement of the Aguán) and the Movimiento Auténtico Reivindicador Campesino del Aguán (Peasant Land Reclamation Movement of the Aguán), which represent more than 3,500 families, have entered into these agreements. In support of this process, Congress authorized the State to act as guarantor for private bank loans to the two movements to enable them to buy land owned by one of the agricultural export companies.[74] The action of the State has paved the way for an orderly process that does not impair the farms' production performance and thereby averts failures to meet export commitments which, in the long run, would have created a situation in which households whose incomes are dependent on investment in the sector would have been pushed into poverty.

48. The National Agrarian Institute has adopted broad measures to uphold the right to an adequate standard of living in the rural sector, including: (i) granting legal personality to 1,369 peasant enterprises (in 2012, 654 enterprises were awarded that status and/or had their status modified, the highest number since 2007); (ii) supporting the organization of 691 rural savings and credit cooperatives, with a total of 8,292 beneficiaries, of whom 2,488 (30 per cent) have been women; (iii) awarding 872,578.77 hectares of State-owned land in 2013 to landless peasants in the associative agrarian sector, individual producers who have been farming the land for many years, and indigenous and Afro-Honduran communities, particularly those based in the Río Plátano Biosphere Reserve. The Miskito people received 703,838 hectares of that land.[75] (Recommendation 83.12).

49. **Employment policies, programmes and challenges.** In order to create opportunities to enhance the standard of living of the many Hondurans who find it necessary to work in the informal economy,[76] the Government has advanced public policies designed to create jobs in the formal sector and to improve conditions for informal-sector workers. In this connection, in November 2010 Congress adopted the National Hourly Employment Programme Act,[77] which is implemented by the Ministry of Labour and Social Security. Given its success, this programme ran throughout the last Administration's term of office and has been continued by the current Administration. Since 2014, this programme has been backstopped by the Hourly Employment Act.[78] The programme generated 177,369 new jobs during its initial phase and has created 53,339 more in the second phase without displacing any permanent workers. It has ensured the protection for hourly workers under a scheme that is aligned with the ILO conventions ratified by Honduras and that gives them social security coverage and priority consideration for permanent positions that open up in their workplace.

50. In addition, since 2014, President Hernández has partnered with the private sector to promote the *Con Chamba Vivís Mejor* (Life is better with a job) Programme, which is geared towards young people who are neither studying nor working and who lack the work experience needed to be considered in normal recruitment processes. Under the programme, which has already created 33,254 new jobs in 2014, the Government pays half the minimum wage for these workers for up to three months. In January 2014, the Act on Protection, Benefits and Regularization of Informal Activities was adopted.[79] A national minimum wage has also been approved for 2014–2015.[80] (Recommendation 81.1).

51. **Strengthening social security.** On the basis of the Constitution and international human rights instruments, the executive branch has submitted the Framework Bill on the Social Protection System for a Better Life to Congress. The purpose of the initiative is to

provide the population with comprehensive health-care coverage and to universalize social security by organizing and coordinating both contributory and non-contributory official, private, mixed and community-based social welfare, social security and health services on the basis of an integrated governance structure and funding scheme.[81] Congress has held consultations on the content of the bill with all sectors concerned with a view to its passage in 2015. (Recommendations 81.1, 82.102, 82.103 and 82.104).

52. **Advances in health care.** During the reporting period, the national health plans for 2010-2014 and 2014–2018 have been implemented. The plans take into account the United Nations Millennium Development Goals, which Honduras is committed to attaining. It should be noted, in that regard, that Honduras has achieved immunization coverage of close to 100 per cent for children of the appropriate ages. For example, the rate of coverage stands at 99 per cent for the BCG vaccine, 95 per cent for pentavalent (type 3), 96 per cent for the oral polio vaccine (type 3) and 88 per cent for the measles/mumps/rubella vaccine.[82] In January 2014, in a further step in line with best practices for immunization programmes, Congress adopted the Vaccines Act,[83] which provides a legal foundation for children's right to be vaccinated and the duty of parents and the State to give effect to that right. (Recommendation 82.104).

53. **Legislative advances to promote the right to health.** In January 2013, Congress amended article 145 of the Constitution to include the right to water and sanitation, stipulating that the use of water resources must be equitable and sustainable and that priority should be placed on human consumption.[84] Legislative achievements include: in June 2010, Congress passed the Specialized Tobacco Control Act;[85] September 2013 saw the adoption of the National Kidney Act, which regulates dialysis services more effectively;[86] in September 2013, the Breastfeeding Promotion and Protection Act[87] was passed; in January 2014, the Human Organ Donation and Transplantation Act,[88] which updates existing legislation in that area, was adopted; in May 2014, the Dengue Fever Prevention and Control Act[89] was passed; and, in July 2014, the Act Regulating the Sale of Agricultural Products of Varying Degrees of Toxicity[90] was promulgated. (Recommendation 81.1).

54. **Reforms that place greater emphasis on education.** (Recommendation 82.102). In line with the views expressed by the United Nations Educational, Scientific and Cultural Organization (UNESCO),[91] expanding the coverage of the third cycle of primary education and of secondary education has been and is a priority for the last and present Administrations and should remain so for future ones. As a sign of that national commitment, in January 2012, Congress amended article 171 of the Constitution to redefine the length and cycles of free, public compulsory education. The length of the period of instruction was set at one year for the preschool level, nine years for the primary level and from two to three years (depending on the course of study) for the secondary level.[92]

55. January 2012 also saw the adoption of the Basic Education Act.[93] The main objectives of this law are to base the country's educational activities on the human right to education and to foster the participation of the school community, which is understood to comprise all parties with a direct interest in ensuring that the schools are run properly, including parents and community leaders. Between 2013 and 2014, the executive branch promulgated more than 20 implementing regulations for a series of provisions contained in the Act. The educational reform process has been buttressed by other legislation, including the State Education and Community Participation Act, passed in April 2011,[94] and the Educational Quality and Equity Assessment, Accreditation and Certification Act, adopted in December 2013.[95]

56. **Other achievements in the area of education.** Under the last two Administrations there have been several developments that give cause for optimism, including: (i) the completion of at least 200 school days in the public education system during the 2013 and

2014 academic years. This achievement is particularly significant in view of the fact that, between 2000 and 2004, for instance, the average number of school days per year was 141;[96] (ii) the sitting of national academic performance tests in Spanish and mathematics by first- to ninth-grade students for two consecutive years (2012 and 2013); (iii) the launch of the first general assessment of teaching performance in Honduras, which made it possible to test first- to ninth-grade teachers on their knowledge of Spanish, mathematics and teaching methods; (iv) the strengthening and consolidation of the school meals programme, which covers 96.64 per cent of public preschool and primary-school pupils throughout the country; and (v) the reintroduction of a governance structure and the administrative reorganization of the public education system.

57. Intercultural bilingual education for indigenous and Afro-Honduran students continues to be strengthened in 1,128 preschools and primary schools in 15 of the country's 18 departments. In 2013, the Intercultural Multilingual Education Department of the Ministry of Education was established and tasked upgrading the administrative structures of the education sector.[97] (Recommendations 81.1, 82.11, 82.18 and 82.107).

58. **Environmental initiatives.** In January 2014, Congress adopted the Climate Change Act,[98] which provides continuity to the efforts undertaken by Honduras since ratifying the United Nations Framework Convention on Climate Change in 1995 and formulating the National Climate Change Strategy, which was approved by the executive branch in 2010.[99] In 2010, the Ministry of Natural Resources and the Environment, working with the Pollution Control and Research Centre, established the Pollutant Release and Transfer Register[100] with the support of the United Nations Institute for Training and Research (UNITAR). The introduction of this register was made possible by the adoption of the Policy for the Environmentally Sound Management of Chemicals in Honduras[101] and the establishment of the Chemical Management Committee.[102] In addition, Congress ratified the International Tropical Timber Agreement[103] in May 2011 and the Gaborone amendment to the Convention on International Trade in Endangered Species of Wild Fauna and Flora in March 2012.[104] (Recommendation 81.1).

2. Equality and non-discrimination: sectoral policies and laws adopted for the benefit of vulnerable groups

59. February 2011 saw the adoption of the Roadmap for the Prevention and Eradication of the Worst Forms of Child Labour as the nation's policy on this issue.[105] The Roadmap is an action plan that outlines key objectives, outcomes, indicators, targets and strategies. It was drafted with the technical assistance of ILO and is based on consultations with numerous State institutions, non-governmental organizations, trade unions and Honduran business associations. The follow-up, monitoring and evaluation of its implementation is a responsibility that falls mainly to the Ministry of Labour and Social Security, with support from the National Commission for the Progressive Elimination of Child Labour[106] and the Inter-Agency Commission to Combat Commercial Sexual Exploitation and Trafficking in Persons. The overall goal of the Roadmap is to eliminate child labour by 2020. (Recommendations 81.1, 82.3, 82.4, 82.17, 82.18, 82.51, 82.52, 82.40, 82.44, 82.21, 82.39, 82.45, 82.47, 82.48, 82.49 and 82.50).

60. The Gender Equality and Equity Plan for 2010–2022, which is the second of its kind, was adopted in July 2010 and constitutes the national policy on women's issues.[107] Its formulation was headed up by the National Institute for Women and involved national consultations with central government bodies, municipal councils and civil society organizations, particularly women's associations. International cooperation was also made available for this purpose. Under this plan, all government agencies are called upon to coordinate their efforts to reach the stated policy objectives and to allocate technical and financial resources for that purpose. A highly significant step forward in its implementation

has been the establishment of municipal women's offices tasked with drawing up and implementing local gender policies in the country's 298 municipalities. (Recommendations 81.1, 82.3, 82.9, 82.11, 82.18, 82.21, 82.37, 82.38, 82.39, 82.41, 82.42, 82.43, 82.44, 82.45 and 82.46).

61. **Advances in the protection of persons with disabilities.** The Public Policy on the Rights and Social Inclusion of Persons with Disabilities in Honduras[108] was adopted in May 2013. Its formulation and implementation were entrusted to the Department for Older Persons and Persons with Disabilities.[109] The policy was formulated with the support of the most representative organizations in the sector and is to remain in effect for nine years. In June 2013, Congress adopted the Comprehensive Services and Inclusion of Persons with Disabilities Act.[110] The adoption of the Honduran Sign Language Act in January 2014 was also a very important step forward in providing deaf persons with access to education, communication and the enjoyment of their other rights under conditions of complete equality.[111] (Recommendations 81.1 and 82.18).

62. **Creation of a specific institutional framework for indigenous and Afro-Honduran peoples.** During the reporting period, and for the first time ever in Honduras, a specific and permanent institutional framework was established to respond to the needs and problems of the nine indigenous and Afro-Honduran peoples in the country, initially through the Ministry of Indigenous and Afro-Honduran Peoples (2010–2014) and, since 2014, through the Department of Indigenous and Afro-Honduran Peoples, which has maintained the cultural and development programmes begun by its predecessor.[112] This framework has served as a basis for efforts to facilitate and coordinate initiatives such as the National Plan to Combat Racism and Racial Discrimination for 2014–2022; the Political Agenda of Indigenous and Afro-Honduran Women, the Inter-Agency Commission to Prevent Spearfishing;[113] an evaluation of compliance with ILO Convention No. 169; and dozens of projects related to agriculture, access roads, water supply and sewerage systems, community services, productive development and the environment.[114] (Recommendations 81.1, 82.11, 82.106, 82.107 and 82.108).

63. **Priority measures for the lesbian, gay, bisexual and transgender (LGBT) community.** In 2015, as part of the ongoing dialogue between the Ministry of Human Rights, Justice, Governance and Decentralization and members of sexual minorities, priority has been given to the implementation of 20 activities under the National Human Rights Plan that focus on this community. These range from proposals for legal reforms aimed at discouraging discrimination to awareness-raising among public officials, subsidies for training programmes run by relevant organizations and the submission of periodic reports on progress made in this area by government ministries. (Recommendations 81.1, 82.18, 83.4 and 83.8).

64. **Legislation and action to protect migrant children and adults.** Since October 2011, security concerns, the search for economic opportunities and hopes of family reunification have led to a dramatic increase in the flow of unaccompanied child migrants from El Salvador, Guatemala and Honduras to the United States of America. This culminated in a humanitarian crisis in 2014.[115] In July 2014, the President issued an emergency decree that framed a comprehensive response to the issue and provided for the coordination of the work of all the relevant State institutions under the leadership of the National Directorate for Children, Adolescents and Families.[116] He also established the Child Migrant Task Force, a committee composed of various agencies which is coordinated by the First Lady. The Task Force has worked on the ground in detention and reception centres in the United States and Mexico in order to gather first-hand information on the situation of these children and their families, which tend to be headed by single mothers. (Recommendations 81.1, 82.102, 82.109 and 82.110).

IV. Follow-up to the recommendations and/or voluntary commitments made in the first round of the universal periodic review

65. Honduras has established a follow-up mechanism whose implementation has been headed up by the Ministry of Human Rights, Justice, Governance and Decentralization. In February 2013, it submitted a voluntary mid-term report which assessed the country's level of compliance, recommendation by recommendation (see annex). In addition, the reader will have noted that many of the paragraphs in this report contain references to specific recommendations to which a measure or set of measures pertains. (These numbers refer to numbered paragraphs in the report of the Working Group on the Universal Periodic Review to the Human Rights Council (A/HRC/16/10)). As can be seen from the Public Policy and National Plan on Human Rights and from the December 2014 progress report (see annex), these measures have been specifically structured on the basis of the recommendations made in the first cycle of the universal periodic review and the observations of permanent bodies, treaty bodies and thematic mechanisms in both the universal and inter-American systems for the protection of human rights.

V. National initiatives and commitments

66. Honduras recognizes and welcomes the fact that the universal periodic review, as a cooperative process, offers an invaluable forum for dialogue with civil society and the international community, along with an opportunity to generate an internal debate on concrete measures that can improve the human rights situation in the country. To that end, Honduras stands ready to upgrade its ongoing follow-up to the universal periodic review and to improve the human rights situation in the country.

67. With that in mind, efforts are under way to establish a human rights observatory. A standing group of officials from numerous institutions has been set up and tasked with handling the various reports that the State needs to prepare in order to fulfil its international commitments. The group will be given official standing by executive decree. In addition, work will soon begin on the creation of a monitoring and evaluation system whose core components will be the indicators used in the Public Policy and National Plan on Human Rights and the international standards established by specialized agencies and treaty bodies. This follow-up mechanism will be backstopped by a permanent agency that will engage in dialogue and consultation with civil society on matters pertaining to human rights. The members, structure and activities of this body will be defined in agreement with relevant organizations.

VI. Expectations of Honduras in terms of technical assistance

68. Honduras is grateful for the technical and financial assistance in the field of human rights received from friendly countries and from agencies in the international and regional human rights systems. It is with trust in that continued support and its steadfast commitment to make the required national effort that, in relation to the mechanisms and resources that may be available in connection with the universal periodic review, Honduras requests support in launching the following initiatives: (i) establishing a process for ensuring ongoing follow-up to the universal periodic review and a dialogue with civil society on human rights issues; (ii) setting up an office of the United Nations High Commissioner for Human Rights in Honduras; (iii) implementing the national mechanism for the protection of human rights defenders, social communicators, journalists, lawyers

and justice officials that is in the process of being established under a law passed by Congress; (iv) setting up transparent systems, in line with the principle of judicial independence, for the recruitment, evaluation and discipline of court and administrative staff within the judicial branch and participatory systems for civil society oversight of the judiciary; and (vi) strengthening the Office of the National Commissioner for Human Rights as the lead national human rights institution.

VII. Overview

69. This report illustrates that, particularly under the last two Administrations, Honduras has made a serious effort to overcome the human rights challenges which it found itself facing in 2010. Improvements have been made in the overall security situation, action is being taken on a systematic basis to address socioeconomic issues and, for the first time in its history, the country has a public policy and national plan on human rights. Nevertheless, most of the human rights challenges and constraints currently faced by Honduras stem, on the one hand, from the structural issues of poverty, inequality and inequity which undermine its population's enjoyment of economic, social and cultural rights, in particular, and, on the other, from the region-wide increase in violence, which has outstripped the institutional capacity of the countries of the region to prosecute offences, resulting in impunity and impairing the enjoyment of civil rights. Even though the preceding and present Administrations have made a determined effort to meet these challenges, it has to be understood that nothing less than a sustained commitment in the medium and long terms, with the unstinting support of all political and social forces and the backing of the international community, will enable Honduras to fulfil the objective set out in its national vision and plan: a country whose population is educated, healthy, safe, free of extreme poverty and violence, and able to pursue the country's development within a democratic framework.

Notes

[1] Sobre el proceso electoral de 2013 en Honduras puede verse: Misión de Observación Electoral de la Unión Europea en Honduras. Elecciones Generales – 24 de noviembre de 2013. *Declaración preliminar: una votación y recuento transparentes tras una campaña opaca y desigual*. Tegucigalpa, 26 de noviembre de 2013. Además, la Organización de Estados Americanos (OEA) reconoció el buen funcionamiento del sistema integrado de escrutinio y divulgación electoral (SIEDE), sobre el cual la Secretaría de Asuntos Políticos y la Misión de la OEA habían realizado auditorías técnicas y recomendaciones. Véase: OEA. Secretaría de Asuntos Políticos (SAP). Departamento para la Cooperación y Observación Electoral (DECO). *Informe final auditoría para la verificación de la calidad y transparencia en el funcionamiento del sistema integrado de escrutinio y divulgación electoral (SIEDE) implementado por el Tribunal Supremo Electoral de Honduras para las elecciones generales del 24 de noviembre de 2013*. Tegucigalpa, 20 de noviembre de 2013; *Misión de la OEA en Honduras llama a esperar los resultados definitivos*. Tegucigalpa, 26 de noviembre de 2013. En: http://www.oas.org/es/sap/deco/moe/Honduras2013/default.asp Adicionalmente, de acuerdo al informe del consorcio Hagamos Democracia, el Partido Nacional tuvo representación en 96% de las MER, LIBRE en 97.9%, el Partido Liberal en 95.6% y el PAC en 72.5% de ellas. Hagamos Democracia. *Informe de Hagamos Democracia*. 24 de noviembre de 2013. Finalmente, puede verse también el *Comunicado de prensa de la delegación de alto nivel político del Centro Carter en las elecciones de Honduras*. 26 de noviembre 2013. En: https://www.cartercenter.org/news/pr/honduras-112613.html (sitios consultados el 26/11/2013).

[2] El Decreto No. 49-2012, de 17 de abril, introduce en el Código Penal el delito de desaparición forzada. Fue publicado en el diario oficial La Gaceta No. 32,873, el 16 de julio de 2012.

[3] El Decreto No. 22-2011, de 7 de marzo, reforma el tipo penal de tortura para adecuarlo a los estándares internacionales. Fue publicado el 19 de mayo de 2011 en el diario oficial La Gaceta No. 32,519.

[4] La inclusión de la orientación sexual, la identidad de género y la pertenencia a pueblos indígenas y afrodescendientes como factores potenciales del tipo penal de discriminación, así como la creación del delito de incitación al odio por los mismos criterios, se produjo por reforma al Código Penal, mediante Decreto No. 23-2013, de 25 de febrero de 2013, publicado en el diario oficial La Gaceta No. 33,092, el 6 de abril de 2013.

[5] La elección del nuevo Comisionado Nacional de los Derechos Humanos por el Congreso Nacional se registró mediante Decreto No. 18-2014, de 25 de marzo de 2014.

[6] Luego de una evaluación especial en octubre de 2010 y un año de plazo para cumplir plenamente con los Principios de Paris, el Comisionado Nacional de los Derechos Humanos fue clasificado como institución con estatus "B" (sin cumplimiento pleno de los principios) por el órgano acreditante. International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC). *Chart of the Status of National Institutions.* Accreditation status as of 23 May 2014.

[7] La Secretaría de Estado en los Despachos de Justicia y Derechos Humanos es creada a través de una reforma a la Ley General de la Administración Pública (Decreto 146-86), mediante el Decreto No. 177-2010, publicado en la edición 32,335 del diario oficial La Gaceta, el 30 de septiembre de 2010.

[8] La fusión de las carteras ministeriales de derechos humanos e interior es autorizada por la *Ley para Optimizar la Administración Pública, Mejorar los Servicios a la Ciudadanía y Fortalecimiento de la Transparencia en el Gobierno*, aprobada mediante Decreto No. 266-2013, de 16 de diciembre de 2013, publicado en el diario oficial La Gaceta No. 33,336, de 23 de enero de 2014.

[9] La *Unidad de Seguimiento a las Recomendaciones de la Comisión de la Verdad y la Reconciliación* fue creada el 8 de noviembre de 2011, mediante Decreto Ejecutivo No. PCM 071-2011.

[10] La primera *Política Pública y Plan Nacional de Acción en Derechos Humanos* se aprobó el 22 de enero de 2013, mediante Decreto Ejecutivo No. PCM 003-2013, publicado en el diario oficial La Gaceta No. 33,073 el 12 de marzo de 2013.

[11] La publicación de la sentencia del caso *Luna López vs. Honduras*, se realizó el 22 de agosto de 2014, en el diario oficial La Gaceta No. 33,512.

[12] La señora esposa y los hijos del señor Carlos Luna López notificaron su decisión de no someterse al tratamiento psicológico que el Estado preparaba en cumplimiento de la sentencia de la Corte IDH, mediante nota dirigida al Procurador General de la República, en fecha 25 de marzo de 2014.

[13] Con relación a la incorporación de los tratados o convenciones internacionales, los tres momentos que marca la Constitución de la República (art. 16) son, en su orden: (i) la aprobación, que realiza el Congreso Nacional sobre un texto que ya ha firmado el Poder Ejecutivo; (ii) la ratificación, que efectúa el Presidente de la República sobre el texto aprobado por el Congreso y; (iii) el canje o depósito del instrumento de ratificación, que lleva a cabo el Poder Ejecutivo ante el órgano designado por el tratado o convención. Las tres fases reflejan la voluntad del Estado por obligarse, pero la aprobación del Legislativo reviste particular importancia, por tratarse de un órgano colegiado que no participó en las negociaciones para la firma del instrumento.

[14] Si bien el *Protocolo Facultativo de la Convención sobre los Derechos de las Personas con Discapacidad* se había aprobado por el Congreso Nacional mediante Decreto Legislativo No. 16-2009, de 8 de febrero de 2009, el mismo no había podido depositarse debido a la crisis política de 2009 y la consecuente situación de Honduras ante la comunidad internacional.

[15] La *Convención sobre Municiones en Racimo*, fue aprobada mediante Decreto No. 135- 2011, de 24 de agosto de 2011, publicado en el diario oficial La Gaceta No. 32,684, el 2 de diciembre de 2011.

[16] La *Convención sobre el Estatuto de los Apátridas* fue aprobada por el Congreso Nacional mediante Decreto No. 94-2012 de 20 de junio de 2012.

[17] *Convención para Reducir los Casos de Apatridia*, aprobada por el Congreso Nacional, a través del Decreto 102-2012 de 25 de julio de 2012.

[18] La *Convención Relativa a la Lucha contra las Discriminaciones en la Esfera de la Enseñanza* fue aprobada por el Congreso Nacional mediante Decreto 40-2013, de 21 de marzo de 2013, publicado en el diario oficial La Gaceta No. 33,144, el 7 de junio de 2013. El depósito del instrumento de ratificación ante la UNESCO se produjo el 5 de septiembre de 2013.

[19] Las reservas a la *Convención sobre el Estatuto de los Refugiados* fueron retiradas por el Congreso Nacional el 25 de febrero de 2013, mediante Decreto 20-2013, publicado en el diario oficial La Gaceta No. 33,092, el 6 de abril de 2013.

[20] *Convenio 144 de OIT, sobre la consulta tripartita para promover la aplicación de las normas internacionales del trabajo*, aprobado por el Congreso Nacional mediante Decreto 122-2011 de 29 de julio y publicado en el diario oficial La Gaceta No. 32,617 de 10 de septiembre de 2011.

[21] La *Ley del Consejo Económico y Social*, aprobada mediante Decreto No. 292-2013, el 13 de enero de 2014, publicado en el diario oficial La Gaceta No. 33,392 de 29 de marzo de 2014.

[22] Organización de los Estados Americanos (OEA). *Acta de depósito del instrumento de adhesión por parte del Gobierno de la República de Honduras del Protocolo a la Convención Americana sobre Derechos Humanos Relativo a la Abolición de la Pena de Muerte, adoptado en Asunción, Paraguay, el 8 de junio de 1990.*

Acta de depósito del instrumento de adhesión por parte del Gobierno de Honduras del Protocolo Adicional a la Convención Americana sobre Derechos Humanos en Materia de Derechos Económicos, Sociales y Culturales "Protocolo de San Salvador", suscrito en San Salvador, El Salvador, el 17 de noviembre de 1988.

Acta de depósito del instrumento de adhesión por parte del Gobierno de la República de Honduras de la Convención Interamericana para la Eliminación de Todas las Formas de Discriminación contra las Personas con Discapacidad, suscrita en la Ciudad de Guatemala, Guatemala, el 7 de junio de 1999.

Si bien los tres instrumentos se habían aprobado por el Congreso Nacional mediante Decretos Legislativos Nos. 5, 15 y 18-2009, de 8 de febrero de 2009 y publicados en el diario oficial La Gaceta No. 32,002, de 31 de agosto de 2009, respectivamente, los mismos no habían podido depositarse debido a la crisis política de 2009 y la consecuente suspensión de Honduras del seno de la OEA.

[23] U.S. Department of State. Bureau of International Narcotics and Law Enforcement Affairs. *2014 International Narcotics Control Strategy Report (INCSR). Country Report:Honduras.* http://www.state.gov/j/inl/rls/nrcrpt/2014/vol1/222904.htm (Consultado 25/11/2014).

[24] Véase, *La tasa de homicidios bajará nueve puntos este año: Directora del Observatorio de la Violencia, Migdonia Ayestas*. Día 7, La Tribuna, 29/11/2014. El recuento oficial indica que la tasa de homicidios por cada 100,000 habitantes fue de 66.4 en 2014, cifra que, si bien sigue siendo muy alta para cualquier sociedad, implica un descenso de más de 19 puntos con relación a la de 86.5 en 2011. Sobre la tendencia a la baja en las tasas de homicidios durante los tres últimos años coinciden, tanto la Secretaría de Seguridad, a través del Centro de Operaciones Estratégicas de la Policía Nacional (COEPOL), como el Observatorio de la Violencia de la Universidad Nacional Autónoma de Honduras, la instancia académica referente en la materia. , pp. 2B–3B.

[25] *Ley de Privación Definitiva del Dominio de Bienes de Origen Ilícito*, aprobada por el Congreso Nacional a través del Decreto No. 27-2010, de 5 de mayo de 2010, publicado el 16 de junio de 2010 en el diario oficial La Gaceta No. 32,239. Esta norma fue afinada posteriormente mediante las reformas introducidas en el Decreto No. 153-2010 de 9 de septiembre de 2010, publicado en el diario oficial La Gaceta No. 32,357, el 4 de noviembre de 2010; en el Decreto No. 258-2011 de 14 de diciembre de 2011, publicado en el diario oficial La Gaceta No. 32,792, el 10 de abril de 2012 y; en el Decreto No. 51- 2014 de 16 de julio de 2014, publicado en el diario oficial La Gaceta No. 33,484, el 21 de julio de 2014.

[26] *Ley de Seguridad Poblacional*, aprobada por el Congreso Nacional mediante los decretos 105-2011 y 166-2011 (reforma), de 24 de junio y 14 de septiembre de 2011, los cuales fueron publicados, respectivamente, en el diario oficial La Gaceta No. 32,562 el 8 de julio de 2011 y No. 32, 634 el 1 de octubre de 2011. También fueron interpretados sus artículos 7 y 9.19, a través del Decreto No. 58-2012 de 25 de abril de 2012, el cual fue publicado en el diario oficial La Gaceta 32,832 el 29 de mayo del mismo año. Con posterioridad ha sido reformada a través del Decreto No. 275-2013, de 17 de diciembre de 2013.

[27] *Ley de Fideicomiso para la Administración del Fondo de Protección y Seguridad Poblacional*, aprobada mediante Decreto No. 199-2011 de 4 de noviembre de 2011, publicado en el diario oficial La Gaceta No. 32,685 el 3 de diciembre de 2011. Sus artículos 5 y 6 fueron reformados por el Decreto No. 222-2012, el 18 de enero de 2013, junto con la Ley de Seguridad Poblacional (art. 38), para asegurar una mejor recaudación, fiscalización, cobro y sanciones en caso de defraudación. Posteriormente, su artículo 1 también fue reformado mediante Decreto No. 322-2013, de 15 de enero de 2014.

[28] El artículo 102 de la Constitución de la República fue reformado mediante Decreto No. 269-2011, de 19 de enero de 2012, publicado en el diario oficial La Gaceta No. 32,769 de 24 de enero de 2012.

Conforme al procedimiento agravado contemplado en la propia carta magna, la reforma se ratificó mediante Decreto No. 2-2012 de 25 de enero de 2012, el cual fue publicado el 27 de febrero de 2012 en La Gaceta No. 32,758.

[29] *Ley Especial para la Depuración Policial*, aprobada mediante Decreto No. 89-2012, de 24 de mayo de 2012, publicado el 25 de mayo del mismo año en el diario oficial La Gaceta No. 32,829.

[30] La Dirección de Investigación y Evaluación de la Carrera Policial se crea a través de la reforma a la Ley Orgánica de la Policía Nacional, efectuada mediante Decreto No. 198- 2011, de 4 de noviembre de 2011, publicado en el diario oficial La Gaceta No. 32,666, el 11 de noviembre de 2011. Posteriormente, para profundizar la depuración, se amplían sus facultades mediante Decreto 5-2012, de 31 de enero de 2012, publicado en el diario oficial La Gaceta No. 32,753, el 21 de febrero de 2012.

[31] *Ley General de la Superintendencia para la Aplicación de Pruebas de Evaluación de Confianza*, aprobada mediante Decreto No. 254-2013, de 16 de diciembre de 2013, publicado en el diario oficial La Gaceta No. 33,372, el 6 de marzo de 2014.

[32] *La Ley de la Policía Militar del Orden Público* fue aprobada mediante Decreto 168- 2013, de 22 de agosto de 2013 y publicada en el diario oficial La Gaceta 33,211, de 24 de agosto de 2013. Fue reformada posteriormente por los Decretos 286-2013, de 8 de enero de 2014, publicado en el diario oficial La Gaceta No. 33,354, de 13 de febrero de 2014 y; 410-2013, de 20 de enero de 2014, publicado en el diario oficial La Gaceta No. 33,527, de 9 de septiembre de 2014.

[33] La *Fiscalía Especial de Delitos contra la Vida* se crea en agosto de 2013, mediante resolución CIMP-025-08-2013, emitida por la Comisión Interventora del Ministerio Público, nombrada por el Congreso Nacional.

[34] La *Agencia Técnica de Investigación Criminal* se ha creado por Decreto No. 379-2013, de 20 de enero de 2014, publicado en el diario oficial La Gaceta No. 33,382, el 18 de marzo de 2014. Reforma los artículos 1 y 41 al 44 de la Ley del Ministerio Público (Decreto 228-93, de 13 de diciembre de 1993).

[35] El delito de femicidio fue introducido en el Código Penal mediante Decreto No. 23-2013, de 25 de febrero de 2013. Fue publicado en el diario oficial La Gaceta No. 33,092, el 6 de abril de 2013.

[36] La *Política Nacional de Prevención de la Violencia hacia la Niñez y la Juventud de Honduras* fue aprobada mediante Decreto Ejecutivo PCM 011-2013, de 12 de febrero de 2013.

[37] *Ley para el Establecimiento de una Visión de País y la Adopción de un Plan de Nación para Honduras*, emitida mediante Decreto No. 286-2009, el 13 de enero de 2010, publicado en el diario oficial La Gaceta de 2 de febrero de 2010.

[38] *El MUCA margen derecha y la lucha campesina por la tierra en el Bajo Aguán: Estudio de caso*/Gustavo Irías, consultor. Tegucigalpa: Centro de Estudios para la Democracia (CESPAD), septiembre 2011. Sobre el cambio de la dinámica de la cuestión agraria en Honduras a partir de 1990, puede verse el trabajo de: Salgado, Ramón et al. *El mercado de tierras en Honduras.* Tegucigalpa: CEDOH/POSCAE-UNAH/Universidad de Wisconsin, 1994.

[39] La Fuerza de Tarea Conjunta Xatruch II, que opera en la región del Bajo Aguán, debe su nombre al General Florencio Xatruch Villagra, héroe militar, quien enviado por el Gobierno de Honduras, luchó contra las invasiones de filibusteros a Nicaragua en 1856. Se le asigna el número II, puesto que ya hubo una fuerza de tarea con el mismo nombre, la cual se constituyó para apoyar una misión militar internacional en el pasado reciente.

[40] El Decreto 117-2012 es una reforma al artículo 37 de la Ley de Control de Armas de Fuego, Municiones, Explosivos y otros Similares, aprobada por el Congreso Nacional el 2 de agosto de 2012, que contiene un artículo transitorio con ámbito espacial específicamente en el departamento de Colón (división política donde se desarrolla el conflicto del Bajo Aguán), por el cual se prohíbe la portación de armas en lugares públicos o su transporte en vehículos, aún si el arma está registrada o hay permiso para su portación. Publicada en el diario oficial *La Gaceta* No. 32,892, el 7 de agosto de 2012.

[41] Sobre la ejecución de las medidas cautelares ordenadas por la CIDH a Honduras, puede verse el video completo de la audiencia temática, celebrada el 28 de octubre de 2013, en: http://www.oas.org/es/cidh/multimedia/sesiones/149/11unes28b.asp.

[42] Entre las resoluciones y declaraciones de órganos de Naciones Unidas cuyas reglas y principios incorpora el proyecto de *Ley de protección para los/as defensores de derechos humanos, periodistas, comunicadores sociales y operadores de justicia*, se encuentran: la Resolución 13/13 del Consejo de Derechos Humanos de Naciones Unidas, relativa a la "Protección de los Defensores de los Derechos

Humanos"; la Resolución 53/144 de la Asamblea General de las Naciones Unidas, contentiva de la "Declaración sobre el Derecho y el Deber de los Individuos, los Grupos y las Instituciones de Promover y Proteger los Derechos Humanos y las Libertades Fundamentales Universalmente Reconocidos"; la Resolución 62/152 de la Asamblea General y; la Resolución 7/8 del Consejo de Derechos Humanos. *Informe del Relator Especial sobre la promoción y protección del derecho a la libertad de opinión y expresión. Misión a Honduras: comentarios del Estado sobre el informe del Relator Especial.* 28 de marzo de 2013. A/HRC/23/40/Add.3.

[43] *Ley contra la Trata de Personas*, aprobada por el Congreso Nacional el 25 de abril de 2012, mediante Decreto No. 59-2012, publicado el 6 de julio de 2012 en La Gaceta 32,865.

[44] Comisión Interinstitucional contra la Explotación Sexual Comercial y Trata de Personas de Honduras. *Informe de acciones relevantes de la Comisión contra la Explotación Sexual Comercial y Trata.* 2013; Secretaría de Estado en los Despachos de Justicia y Derechos Humanos. *Informe del Estado de Honduras ante el Comité de los Derechos del Niño con arreglo al artículo 12 del Protocolo Facultativo de la Convención sobre los Derechos del Niño relativo a la venta de niños, la prostitución infantil y la utilización de niños en pornografía.* (2012). Párrafos 64–66; 126–132; 167.

[45] La *Ley del Sistema Penitenciario Nacional* se aprobó mediante Decreto No. 64–2012, de 14 de mayo de 2012, publicado en el diario oficial La Gaceta No. 32,990, el 3 de diciembre de 2012.

[46] *Ley de Indulto*, aprobada por el Congreso Nacional mediante Decreto No. 31-2013, de 28 de febrero de 2013, publicado en el diario oficial La Gaceta No. 33,090, el 4 de abril de 2013.

[47] El CONAPREV da cumplimiento al *Protocolo Facultativo a la Convención contra la Tortura y Otros Tratos Crueles, Inhumanos y Degradantes*, que fue aprobado mediante Decreto No. 374-2005, de 20 de enero de 2006. También pone en marcha la Ley del Mecanismo Nacional de Prevención contra la Tortura, aprobada a través del Decreto No. 136-2008, de 1 de octubre de 2008, publicado en el diario oficial La Gaceta el 5 de diciembre de 2008.

[48] La autonomía presupuestaria del CONAPREV se ha logrado gracias a la reforma del artículo 7 de su ley, aprobada por el Congreso Nacional mediante Decreto No. 356-2013 de 20 de enero de 2014.

[49] Comité Nacional de Prevención contra la Tortura, Tratos Crueles, Inhumanos o Degradantes (MNP-CONAPREV). *IV Informe anual a la nación, 2014.*

[50] El Consejo de la Judicatura y de la Carrera Judicial, se crea mediante Decreto No. 5-2011, de 17 de febrero, que ratifica la reforma a los artículos constitucionales 313 y 317; fue publicado el 7 de marzo de 2011 en el diario oficial La Gaceta No. 32,460. La reforma se había producido mediante Decreto No. 282-2010, de 19 de enero de 2011.

[51] *La Ley del Consejo de la Judicatura y la Carrera Judicial* fue emitida mediante Decreto No. 219-2011, de 17 de noviembre de 2011, el cual fue publicado en el diario oficial La Gaceta No. 32,706, el 28 de diciembre de 2011. El Decreto No. 291-2013, de 13 de enero de 2014, introdujo reformas en cinco de sus artículos.

[52] Sobre proyectos innovadores en el Poder Judicial pueden verse: *Informe de gestión judicial 2012.* pp. 87, 91, 93 y 104; Boletín de la Coordinación de Cooperación Externa en www.poderjudicial.gob.hn (consultado 11/12/2014); Instituto de Acceso a la Información Pública. *Informe anual de actividades 2013.* p. 49 (anexo 2).

[53] La Unidad de Género del Poder Judicial se creó el 30 de septiembre de 2010, mediante Acuerdo 04 de la Corte Suprema de Justicia, publicado en el diario oficial La Gaceta No. 32,373, el 23 de noviembre de 2010.

[54] La reforma integral de la normativa sobre niñez y familia se aprobó mediante Decreto No. 35-2013 del Congreso Nacional, el 27 de febrero de 2013, publicándose en el diario oficial La Gaceta No. 33,222, el 6 de septiembre de 2013. Posteriormente, fue afinado el artículo 23.5 de la *Ley contra la Violencia Doméstica* para permitir que las víctimas no sean confrontadas con sus agresores, si no están en condiciones emocionales para hacerlo, mediante Decreto No. 66-2014, de 26 de agosto de 2014, publicado en el diario oficial La Gaceta No. 33,577, el 10 de noviembre de 2014.

[55] El proceso de transición del Instituto Hondureño de la Niñez y la Familia (IHNFA) hacia la Dirección de Niñez, Adolescencia y Familia (DINAF) ha estado regulado por los decretos ejecutivos PCM 26-2014 y PCM 27-2014, ambos de 4 de junio de 2014, publicados también en conjunto en el diario oficial La Gaceta de 6 de junio de 2014.

[56] El Decreto No. 3-2011, de 17 de febrero, el cual amplía los temas que pueden ser consultados a la población mediante plebiscito y referéndum, ratifica la reforma a los artículos constitucionales 5 y

213; fue publicado en el diario oficial La Gaceta No. 32,460, el 7 de marzo de 2011. La reforma se había producido a través del Decreto No. 275-2010, de 13 de enero de 2011.

[57] *Ley de Mecanismos de Participación Ciudadana*, Decreto No. 190-2012, de 12 de diciembre de 2012, publicado en el diario oficial La Gaceta No. 33,074, el 13 de marzo de 2013.

[58] La cuota de 50% para candidatas mujeres fue establecida por el Congreso Nacional a través del Decreto 54-2012 de 24 de abril de 2012, publicado en el diario oficial La Gaceta No. 32,820 el 15 de mayo del mismo año.

[59] La reforma al artículo 205, numeral 15 de la Constitución de la República para introducir el juicio político fue ratificada mediante Decreto 8-2013, de 30 de enero de 2013, publicado en el diario oficial La Gaceta No. 33,062 el 27 de febrero de 2013. La reforma se había producido a través del Decreto No. 231-2012, de 23 de enero de 2013, publicado en el diario oficial La Gaceta No. 33,033 el 24 de enero de 2013.

[60] *Ley Especial de Juicio Político*, Decreto No. 51-2013, de 21 de marzo de 2013, publicado en el diario oficial La Gaceta No. 33,093, el 8 de abril de 2013.

[61] El Decreto Legislativo No. 32-2011, de 5 de abril, aprueba la *Ley Especial de Fomento para las Organizaciones No-Gubernamentales de Desarrollo (ONGD)*. Fue publicado el 27 de junio de 2011, en el diario oficial La Gaceta No. 32,552.

[62] *Ley de la Carrera Administrativa Municipal*, Decreto No. 74-2010, de 10 de junio de 2010. Su vigencia se suspendió por dos años, mediante Decreto No. 135-2012, de 23 de agosto de 2012.

[63] La *Ley de Patronatos y Asociaciones Comunitarias* fue aprobada mediante Decreto No. 253-2013, el 16 de diciembre de 2013, publicado en el diario oficial La Gaceta No. 33,351, el 10 de febrero de 2014.

[64] Honduras es un Estado unitario, organizado en 18 departamentos. Cada departamento tiene un número variable de municipios, en calidad de subdivisiones políticas autónomas, de rango local (artículos 294 a 302 de la Constitución de la República).

[65] Instituto de Acceso a la Información Pública. *Informe de Actividades 2011*. p. 10.

[66] Instituto de Acceso a la Información Pública. *Informe Anual de Actividades 2012*. p. 29.

[67] La reforma del artículo constitucional 182, para incluir la garantía del hábeas data, se produjo mediante Decreto No. 237-2012, de 23 de enero de 2013. Fue ratificada mediante Decreto No. 10-2013, de 30 de enero de 2013, publicado en el diario oficial La Gaceta No. 33,086, el 27 de marzo de 2013.

[68] *La Política de Protección Social (PPS)*, fue aprobada el 18 de marzo de 2012, mediante Decreto Ejecutivo PCM 008-2012.

[69] Hay antecedentes de la Política de Protección Social en los decretos legislativos 157-2008 y 193-2009.

[70] La *Ley Marco de Políticas Públicas en Materia Social*, fue aprobada mediante Decreto No. 38-2011, de 12 de abril de 2011, publicado en el diario oficial La Gaceta No. 33,149, el 13 de junio de 2013.

[71] ***Programa Presidencial de Salud, Educación y Nutrición "Bono 10 Mil"*, aprobado mediante Decreto Ejecutivo No. PCM-010-2010 del 13 de abril de 2010.** Dicho programa tiene como propósito contribuir con la ruptura del ciclo inter-generacional de la pobreza a través de la creación de oportunidades, desarrollo de capacidades y competencias en educación, salud y nutrición de las familias en extrema pobreza.

[72] Para medir el impacto del *Bono Diez Mil*, se encargó una evaluación al prestigioso centro NORC (organización independiente de investigación afiliada a la Universidad de Chicago, fundada en 1941 como el *National Opinion Research Center*, el cual trabajó en colaboración con una firma nacional (ESA Consultores, Economía, Sociedad, Ambiente e Ingeniería, fundada en 1992, con experiencia en estudios en Honduras, la región centroamericana y otros países del mundo). El estudio, que se realizó aplicando rigurosamente los estándares de las Ciencias Sociales, encontró que, luego de **un año** de intervención del programa, los hogares beneficiarios habían reducido la tasa de pobreza en 3 puntos porcentuales (p.p.) y que el promedio de consumo per cápita había aumentado en 7 puntos. En cuanto a los resultados de impacto en educación, se detectó que entre los hogares beneficiarios, la tasa de matriculación para los/as niños/as entre 6 y 17 años aumentó en 2.8 puntos porcentuales durante el año 2013 y que la asistencia escolar también lo hizo en 3.2 puntos. En lo que atañe a salud infantil, como resultado del programa aumentó en 2.6 p.p. la tasa de visitas al centro de salud de niños/as entre cero y tres años, en tanto que el monitoreo de peso para niños/as menores de un año reflejó un aumento de 15 p.p. Finalmente, el estudio recomendó afinar la focalización del bono, para lo cual es

menester continuar el fortalecimiento e integración de los sistemas de información; buscar la regularización (los montos y periodos) del bono; fortalecer el monitoreo y verificación del cumplimiento de corresponsabilidades de los hogares beneficiarios; estrechar la coordinación con las Secretarías de Educación y Salud y; realizar a futuro otras evaluaciones que permitan medir el impacto tras varios años de exposición de los beneficiarios al programa.

[73] La Política Pública para el Desarrollo Integral de la Primera Infancia tiene la finalidad que el Estado de Honduras, como garante de los derechos de la niñez, cuente con un instrumento que oriente a los organismos gubernamentales, no gubernamentales de desarrollo (ONGD), empresa privada con responsabilidad social y cooperantes, en la ejecución de estrategias de forma articulada que conduzcan a asegurar la supervivencia, desarrollo y protección de los niños, desde su gestación hasta los 6 años. La Política Pública es el resultado de un proceso de consulta y consenso con diferentes actores, incluyendo niños y niñas, lo que permitió conocer la situación, avances. brechas y limitaciones que enfrenta Honduras para brindar atención integral a la primera infancia y se enmarca en los principios de la Convención sobre los Derechos del Niño, que Honduras ratificó, convirtiéndose en un instrumento de obligatorio cumplimiento que vela por el interés superior del niño.

[74] La autorización para que el Estado se convirtiera en aval de los movimientos campesinos en la compra de tierras en el Aguán, se produjo mediante Decreto Legislativo No. 161-2011, de 13 de septiembre de 2011, publicado en el diario oficial La Gaceta No. 32,635, el 4 de octubre de 2011.

[75] Informe de gestión del Instituto Nacional Agrario (INA), 2007-2014. Mediante el Decreto No. 61-2013, aprobado el 17 de abril de 2013, el Congreso Nacional autorizó al Instituto de Conservación y Desarrollo Forestal de Áreas Protegidas y Vida Silvestre para que realizara el otorgamiento de títulos de propiedad a las comunidades indígenas y afro-hondureñas ubicadas en la Zona Cultural de la Reserva del Hombre y la Biósfera del Río Plátano. Fue publicado en el diario oficial La Gaceta No. 33,138, el 31 de mayo de 2013.

[76] De cada 100 ocupados/as, 43 efectúan sus actividades laborales a cambio de un salario pagado por un patrono, 45 lo hacen por cuenta propia, generando su empleo, y, 13 son trabajadores/as no remunerados, vale decir, personas que trabajan de alguna forma pero que no reciben un pago en metálico a cambio. Instituto Nacional de Estadística (INE). *XLIV Encuesta Permanente de Hogares de Propósitos Múltiples (EPHPM) mayo 2013.*

[77] La *Ley del Programa Nacional de Empleo por Horas* fue aprobada el 4 de noviembre de 2010, mediante Decreto No. 230-2010, publicado en el diario oficial de 5 de noviembre de 2010. Su vigencia fue prorrogada por el Decreto No. 218-2013, de 6 de septiembre de 2013, publicado en el diario oficial La Gaceta No. 33,246, de 5 de octubre de 2013; y posteriormente, por el Decreto No. 279-2013, de 21 de diciembre de 2013.

[78] *Ley de Empleo por Hora*, aprobada mediante Decreto No. 354-2013, de 20 de enero de 2014, publicado en el diario oficial La Gaceta 33,393, el 31 de marzo de 2014.

[79] *Ley para la Protección, Beneficios y Regularización de la Actividad Informal*, Decreto No. 318-2013, de 15 de enero de 2014, publicado en el diario oficial La Gaceta No. 33,436, el 26 de mayo de 2014.

[80] *Acuerdo Tripartito sobre la Revisión del Salario Mínimo para los años 2014-2015-2016*, aprobado mediante Acuerdo No. STSS-599-2013 de fecha 20 de diciembre de 2013, publicado en el diario oficial La Gaceta No. 33,313, el 26 de diciembre de 2013.

[81] Para un panorama de la situación actual del sistema de seguridad social en Honduras puede verse: Oficina Internacional del Trabajo (OIT)/Unión Europea. *La cobertura de los seguros sociales en Honduras: análisis y recomendaciones*/F. Durán Valverde, J.F. Ortiz Vindas y H.W. Díaz Romero. Ginebra, 2013. La cobertura insuficiente del sistema de seguridad social es un problema que Honduras comparte con otros países de la subregión centroamericana. V. por ej. *Envejecimiento en América Latina: sistemas de pensiones y protección social integral*/Antonio Prado y Ana Sojo, eds. Santiago, Chile: Comisión Económica para América Latina (CEPAL): 2010.

[82] La principal fuente utilizada para desarrollar este apartado ha sido: Secretaría de Salud. Instituto Nacional de Estadística (INE). ICF International. *Encuesta Nacional de Salud y Demografía (ENDESA) 2011–2012.* Tegucigalpa, 2013. Para tener una línea de base, sus datos se contrastan, generalmente, con la ENDESA 2005–2006.

[83] La *Ley de Vacunas* fue aprobada mediante Decreto 288-2013, el 8 de enero de 2014, publicándose en el diario oficial La Gaceta No. 33,389, el 26 de marzo de 2014.

[84] La reforma al artículo 145 de la Constitución de la República, para incluir en él el derecho al agua y saneamiento, fue ratificada por Decreto No. 232-2012, de 23 de enero de 2013, publicado en el diario oficial La Gaceta No. 33,033 el 24 de enero de 2013. La reforma se había producido mediante Decreto No. 270-2011, de 19 de enero de 2012.

[85] *Ley Especial para el Control del Tabaco*, emitida por el Congreso Nacional el 10 de junio de 2010, mediante Decreto No. 92-2010.

[86] La *Ley Nacional Renal* se aprobó por el Congreso Nacional mediante Decreto No. 200-2013, el 6 de septiembre de 2013.

[87] *Ley de Fomento y Protección de la Lactancia Materna*, aprobada mediante Decreto No. 231-2013, el 18 de septiembre de 2013.

[88] *Ley de Donación y Trasplante de Órganos Anatómicos en Seres Humanos*, aprobada mediante Decreto No. 329-2013, el 17 de enero de 2014, publicado en el diario oficial La Gaceta No. 33,412, el 26 de abril de 2014.

[89] *Ley para la Prevención y Control del Dengue*, aprobada el 15 de mayo de 2014, mediante Decreto No. 31-2014.

[90] *Ley de Regulaciones para la Venta de Productos Agropecuarios con Distintos Grados de Toxicidad*, aprobada el 29 de julio de 2014, mediante Decreto No. 56-2014.

[91] De acuerdo a la UNESCO, la educación secundaria tiene una importancia fundamental para que una sociedad salga de la pobreza. Las habilidades que pueden vincular a un joven con el ámbito laboral se adquieren a través de la educación media; en mercados a escala global, las capacidades básicas que da la escuela primaria no son suficientes para responder a los retos de un mundo cada vez más interconectado. Organización de las Naciones Unidas para la Educación, la Ciencia y la Cultura. Instituto de Estadística de la UNESCO. *Compendio mundial de la educación 2011, comparación de las estadísticas de educación en el mundo: enfoque en la educación secundaria*.

[92] La reforma al artículo 171 constitucional, para redefinir la duración y los ciclos de la educación gratuita y obligatoria, se produjo mediante Decreto No. 273-2011 del Congreso Nacional, en fecha 19 de enero de 2012. Fue ratificada a través del Decreto No. 233-2012, de 23 de enero de 2013, publicado en el Diario Oficial La Gaceta No. 33,033 el 24 de enero de 2013.

[93] *Ley Fundamental de Educación*, aprobada por el Congreso Nacional mediante Decreto No. 262-2011, el 19 de enero de 2012, publicada en el diario oficial La Gaceta No. 32,754, el 22 de febrero de 2012.

[94] *Ley de Fortalecimiento a la Educación Pública y la Participación Comunitaria*, Decreto 35-2011, de 5 de abril de 2011, publicado en el diario oficial La Gaceta No. 32,524 el 25 de mayo de 2011.

[95] *Ley de Evaluación, Acreditación y Certificación de la Calidad y Equidad de la Educación*, aprobada por el Congreso Nacional mediante Decreto No. 265-2013, de 16 de diciembre de 2013.

[96] Programa de Promoción de la Reforma Educativa en América Latina y el Caribe (PREAL)/Fundación para la Educación Ricardo Ernesto Maduro Andreu. *El proceso de transformación de la educación hondureña: un repaso de sus avances y resultados.* 2005.

[97] La Dirección General de Educación Intercultural Multilingüe, adscrita a la Secretaría de Educación, se creó mediante Decreto Ejecutivo No. PCM 024-2009, pero entra en funcionamiento a partir de 2013. Recoge experiencias y estructuras administrativas previas, que en el caso de algunos pueblos, datan de la década de 1990.

[98] *Ley de Cambio Climático*, aprobada mediante Decreto No. 297-2013, de 13 de enero de 2014, publicado en el diario oficial La Gaceta No. 33,577, el 10 de noviembre de 2014.

[99] La Estrategia Nacional sobre Cambio Climático fue aprobada mediante Decreto PCM 046-2010.

[100] Secretaría de Recursos Naturales y Ambiente (SERNA). Centro de Estudios y Control de Contaminantes (CESCCO). *Propuesta nacional ejecutiva para la implementación del RETC en Honduras.* Tegucigalpa, MDC., agosto 2012.

[101] La *Política para la Gestión Ambientalmente Racional de Productos Químicos en Honduras* se aprobó mediante Decreto Ejecutivo PCM 029-2013.

[102] La Comisión de Gestión de Productos Químicos se estableció mediante Decreto Ejecutivo PCM 035-2013.

[103] *Convenio Internacional de las Maderas Tropicales*, aprobado por el Congreso Nacional mediante Decreto 54-2011, de 18 de mayo de 2011, publicado el 3 de agosto de 2011 en el diario oficial La Gaceta No. 32,584.

[104] *Enmienda de Gaborone al texto de la Convención sobre el Comercio Internacional de Especies Amenazadas en Fauna y Flora Silvestre (CITIES)*, aprobada por el Congreso Nacional mediante

Decreto No. 34-2012 de 21 de marzo de 2012, publicado en el diario oficial La Gaceta No. 32,828 el 24 de mayo de 2012.

[105] La *Hoja de Ruta para la Prevención y Erradicación del Trabajo Infantil y sus Peores Formas* fue aprobada mediante Decreto Ejecutivo PCM 011-2011, de 15 de febrero de 2011, publicado en La Gaceta No. 32,473 el 22 de marzo de 2011.

[106] La Comisión Nacional para la Erradicación Gradual y Progresiva del Trabajo Infantil fue establecida mediante Decreto Ejecutivo PCM 17-98.

[107] El *Plan de Igualdad y Equidad de Género 2010–2022*, fue aprobado el 6 de julio de 2010 por Acuerdo Ejecutivo PCM 028-2010, publicado en el diario oficial La Gaceta No. 32,275, de 28 de julio de 2010.

[108] Honduras. Secretaría de Estado en los Despachos del Interior y Población. *Política pública para el ejercicio de los derechos de las personas con discapacidad y su inclusión social en Honduras*. Mayo 2013.

[109] Anteriormente la Dirección General de las Personas con Discapacidad y a partir de la reestructuración orgánica y funcional en el Gobierno Central, se denomina Dirección de Adulto Mayor y Discapacidad, operada a partir de enero de 2014. La promoción de los derechos de este colectivo está bajo la responsabilidad de la Secretaría de Desarrollo e Inclusión Social.

[110] La *Ley de Fomento y Desarrollo para la Atención Integral e Inclusión de las Personas con Discapacidad* fue aprobada por el Congreso Nacional mediante Decreto No. 102-2013, el 10 de junio de 2013.

[111] La *Ley de la Lengua de Señas Hondureña (LESHO)* fue aprobada mediante Decreto No. 321-2013, de 15 de enero de 2014, publicado en el diario oficial La Gaceta No. 33,433, el 22 de mayo de 2014.

[112] La Secretaría de Pueblos Indígenas y Afrohondureños fue creada a través de reformas a la Ley General de la Administración Pública, mediante Decreto No. 203-2010, de 14 de octubre de 2010, publicado en el diario oficial La Gaceta No. 32,364, el 12 de noviembre de 2010. En diciembre 2013, el Presidente electo, confrontado con la necesidad de afianzar las finanzas públicas, a través de un uso más eficiente de los recursos disponibles, pero preservando en la medida de lo posible el mismo nivel de servicios a la ciudadanía, solicita al Congreso una serie de medidas entre las cuales se encontrará la fusión de dependencias gubernamentales. Estas se traducen en la *Ley para Optimizar la Administración Pública, Mejorar los Servicios a la Ciudadanía y Fortalecimiento de la Transparencia en el Gobierno*, aprobada mediante Decreto No. 266-2013, de 16 de diciembre de 2013, publicado en el diario oficial La Gaceta No. 33,336, de 23 de enero de 2014. Bajo este marco, se crea la Dirección de Pueblos Indígenas y Afrohondureños, adscrita a la Secretaría de Desarrollo e Inclusión Social, mediante Decreto Ejecutivo PCM 03-2014.

[113] La Comisión Interinstitucional para la Prevención y Atención de la Pesca por Buceo fue establecida mediante Decreto Ejecutivo PCM 003-2012.

[114] Veintisiete proyectos de desarrollo productivo y ambiente para los pueblos indígenas y afrohondureños se han ejecutado en el marco del Proyecto de Desarrollo Integral de los Pueblos Autóctonos de Honduras, 2012–2013. También, el Instituto de Desarrollo Comunitario, Aguas y Saneamiento (IDECOAS) y el Fondo Hondureño de Inversión Social (FHIS) han ejecutado cerca de 50 proyectos con los pueblos indígenas y afrohondureños durante el período 2010–2014.

[115] Sobre las causas de la migración de niños/as centroamericanos/as a Estados Unidos puede verse: United Nations High Commissioner for Refugees (UNHCR). Regional Office for the United States and the Caribbean. *Children on the Run: Unaccompanied Children Leaving Central America and Mexico and the Need for International Protection*. Washington, [2013–2014].

[116] El decreto de emergencia con motivo de la crisis migratoria de niños/as no-acompañados/as en Estados Unidos fue emitido el 8 de julio de 2014, bajo el No. PCM 33-2014 y publicado en el diario oficial La Gaceta No. 33, 476, el 11 de julio de 2014.

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Honduras

The present report is a compilation of the information contained in reports of the treaty bodies and special procedures, including observations and comments by the State concerned, in reports of the United Nations High Commissioner for Human Rights, and in other relevant official United Nations documents. It is presented in a summarized manner owing to word-limit constraints. For the full texts, please refer to the documents referenced. The report does not contain any opinions, views or suggestions on the part of the Office of the United Nations High Commissioner for Human Rights other than those contained in public reports and statements issued by the Office. It follows the general guidelines adopted by the Human Rights Council in its decision 17/119. Information included herein has been systematically referenced in endnotes. The report has been prepared taking into consideration the periodicity of the review, and developments during that period.

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I. Background and framework

A. Scope of international obligations[1]

International human rights treaties[2]

	Status during previous cycle	*Action after review*	*Not ratified/not accepted*
Ratification, accession or succession	ICERD (2002) ICESCR (1981) ICCPR (1997) ICCPR-OP 2 (2008) CEDAW (1983) CAT (1996) OP-CAT (2006) CRC (1990) OP-CRC-AC (2002) OP-CRC-SC (2002) ICRMW (2005) CRPD (2008) ICPPED (2008)		
Reservations and/or declarations	OP-CRC-AC (Declaration, art. 3, para. 2, age of recruitment 18, 2002)		
Complaints procedures, inquiries and urgent action[3]	ICCPR-OP 1 (2005) CAT, art. 20 (1996)	OP-CRPD, art. 6 (2010)	ICERD, art. 14 OP-ICESCR ICCPR, art. 41 OP-CEDAW CAT, arts. 21 and 22 OP-CRC-IC ICRMW, arts. 76 and 77 ICPPED, arts. 31 and 32

Other main relevant international instruments

	Status during previous cycle	*Action after review*	*Not ratified*
Ratification, accession or succession	Convention on the Prevention and Punishment of the Crime of Genocide Rome Statute of the International Criminal Court Palermo Protocol[4] 1951 Convention relating to the Status of Refugees and its 1967 Protocol Geneva Conventions of 12 August 1949 and Additional Protocols thereto[5] ILO fundamental conventions[6] ILO Convention No. 169[7]	1954 Convention relating to the Status of Stateless Persons (2012), and 1961 Convention on the Reduction of Statelessness (2012) UNESCO Convention against Discrimination in Education (2013)	ILO Convention No. 189[8]

1. In 2014, the Committee on the Elimination of Racial Discrimination (CERD) urged Honduras to make the optional declaration under article 14 of the Convention[9] and to ratify the amendment to article 8, paragraph 6.[10]

B. Constitutional and legislative framework

2. The United Nations country team (UNCT) in Honduras reports that, under the Constitution, international treaties ratified by the State form part of domestic law. UNCT mentions constitutional and legal reforms, many of them found in recommendations from the first cycle, that are aimed at harmonizing the national legislation.[11] The Criminal Code has been amended to define the offences of torture (2011); hate crimes, particularly against women and against lesbian, gay, bisexual, transgender and intersex (LGBTI) persons; femicide; and the use of the media to incite hatred and discrimination.[12] UNCT also highlights the adoption of the following laws: the Act on the Council of the Judiciary (2011); the Act on Food and Nutrition Security (2011); the Act on the National Prison System, which transfers responsibility for the administration of prisons from the Ministry of Security to the new National Prison Institute, under the Ministry of Human Rights, Justice, the Interior and Decentralization (2012); the Trafficking in Persons Act (2012); the Education Act (2012); the Impeachment Act (2013), as recommended by the Truth and Reconciliation Commission; and the Hourly Employment Act (2014).[13] In addition, amendments were made to the Elections and Political Organizations Act, in order to increase the minimum quota for female candidates for elected office (2012); to the Code on Children and Adolescents and the Family Code (2013); and to the Domestic Violence Act (2013).[14]

3. CERD expressed concern about the definition of racial discrimination contained in the Constitution and the Criminal Code, and recommended that Honduras align the definition and description of the offence of racial discrimination with article 1 of the Convention.[15] With regard to combating racist hate speech, CERD also recommended that the description of the offence of racial discrimination be brought into line with article 4 of the Convention.[16]

4. UNCT stresses that the definition of the offence of torture has brought the legislation into line with international standards. However, the amendment to article 209-A of the Criminal Code (2011) does not explicitly state that the offence of torture is not subject to the statute of limitations, nor does it address the definition of torture set forth in the Military Criminal Code.[17]

5. UNCT reports that the National Congress is considering a bill on protection for human rights defenders, journalists, media professionals and persons responsible for the administration of justice, as well as an initiative to close the pay gap between men and women.[18]

6. In 2014, the Special Rapporteur on the sale of children, child prostitution and child pornography recalled that the passing of the law on adoption and the ratification of the Hague Convention on Protection of Children and Cooperation in respect of Intercountry Adoption were still pending.[19] UNCT points out that Honduras does not have a special law on adoption.[20]

C. Institutional and human rights infrastructure and policy measures

Status of national human rights institutions[21]

National human rights institution	*Status during previous cycle*	*Status during present cycle*[22]
Office of the National Commissioner for Human Rights (CONADEH)	A (2007)	B (2011, B status recommended after a special review in 2010 gave one year in which to establish compliance with Paris Principles)

7. CERD expressed concern at the fact that CONADEH had lost its A status.[23] In 2012, the Special Rapporteur on the situation of human rights defenders recommended that CONADEH be strengthened according to the principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles).[24] UNCT points out that Congress recently elected the Commissioner for a six-year term.[25]

8. During her follow-up visit to Honduras in 2014, the Special Rapporteur on the sale of children, child prostitution and child pornography recommended that Honduras reinforce the Office of the National Commissioner for Human Rights to make it more accessible to children, and improve the monitoring and assessment of children's rights.[26]

9. CERD recommended that steps be taken to ensure the full functioning of the National Commission against Racial Discrimination, Racism, Xenophobia and Other Related Forms of Intolerance.[27]

10. The Subcommittee on Prevention of Torture urged Honduras to amend the organization act on the National Committee for the Prevention of Torture and Cruel, Inhuman or Degrading Treatment (CONAPREV) to resolve budgetary allocation problems.[28] It recommended that CONAPREV make its mandate known to the public,[29] and set up mechanisms for following up on its recommendations[30] and for follow-up visits.[31]

11. CERD noted with concern that the Ministry of Justice and Human Rights and the Ministry for Indigenous and Afro-Honduran Peoples have been merged with other institutions and thus no longer benefit from ministerial status. CERD urged Honduras to provide them with the resources they require to discharge their duties in accordance with their mandate.[32]

12. In 2014, the Special Rapporteur on violence against women stated that, owing to a financial crisis, there had been a reduction in the number of ministries, staff and specialized services, including in the violence against women sector. She noted that the lack of institution-building, the high turnover of staff in the civil service, and the politicization of appointment processes had a negative impact on the sustainability of policies and programmes.[33]

13. CERD noted with satisfaction the adoption of the National Action Plan on Human Rights.[34]

14. UNCT reports that a national policy on prisons and a public policy against racism and racial discrimination are being drafted.[35]

15. The Special Rapporteur on the sale of children recommended establishing an integrated child protection system to improve prevention and guarantee security and protection for children, as well as access to justice, support, rehabilitation and reintegration.[36]

II. Cooperation with human rights mechanisms

A. Cooperation with treaty bodies[37]

1. Reporting status

Treaty body	*Concluding observations included in previous review*	*Latest report submitted since previous review*	*Latest concluding observations*	*Reporting status*
CERD	–	2012	February 2014	Sixth to eighth reports due in 2017
CESCR	May 2001	2014	–	Second report pending consideration
HR Committee	October 2006	–	–	Second report overdue since 2010
CEDAW	July 2007	2015	–	Seventh and eighth reports pending consideration
CAT	May 2009	–	–	Second report overdue since 2013
CRC	February 2007	2013 (CRC)/ 2012 (OP-CRC-AC and OP-CRC-SC)	–	Fourth and fifth reports pending consideration in 2015. Initial reports to OP-CRC-AC and OP-CRC-SC pending consideration in 2015.
CMW	–	–	–	Initial report overdue since 2006
CRPD	–	2013	–	Initial report pending consideration
CED	–	–		Initial report overdue since 2013

2. Responses to specific follow-up requests by treaty bodies

Concluding observations

Treaty body	*Due in*	*Subject matter*	*Submitted in*
CERD	2015	Definition of offences of racial discrimination; Organic Act on Employment and Economic Development Areas; independence of the judiciary; situation of Miskito divers.[38]	–
HR Committee	2007	Extrajudicial executions of children; excessive use of force and firearms by security forces and prison staff; street children situation; and indigenous communities.[39]	2008[40] and 2010.[41] Incomplete information received.[42]
CAT	2010	Fundamental safeguards; enforced or involuntary disappearances; trafficking in persons; pretrial detention; persons with mental impairment or illnesses deprived of their liberty; and "unlawful associations".[43]	Reminder sent in 2011.[44]

Country visits and/or inquiries by treaty bodies

Treaty body	*Date*	*Subject matter*
SPT	2012	Technical assistance to the national preventive mechanism[45]

B. Cooperation with special procedures[46]

	Status during previous cycle	*Current status*
Standing invitation	Yes	Yes
Visits undertaken	Extrajudicial, summary or arbitrary executions (2001) Racism (2004) Arbitrary Detention (2006) Mercenaries (2006) Enforced or Involuntary Disappearances (2007) Freedom of opinion and expression (2007)	Human rights defenders (2012) Freedom of opinion and expression (2012)[47] Sale of children (2012) Mercenaries (2013) Violence against women (2014)
Visits agreed to in principle	Food	Food Freedom of association and assembly Independence of judges and lawyers
Visits requested	–	–
Responses to letters of allegation and urgent appeals	In the period under review, 40 communications were sent. The Government replied to 10 communications.	
Follow-up reports and missions	Sale of children (mission 2014)[48] and Working Group on Enforced or Involuntary Disappearances (report)[49]	

16. In 2011, the Government extended an invitation to 14 mandate holders.[50]

C. Cooperation with the Office of the United Nations High Commissioner for Human Rights

17. In 2010, a Human Rights Adviser, working under the United Nations Resident Coordinator, was deployed to Honduras.[51] The Office of the United Nations High Commissioner for Human Rights (OHCHR) has provided technical advice on: the drafting of a bill establishing a protection mechanism for human rights defenders; strengthening the investigation capacity of the Public Prosecutor's Office; improving the prison system, including supporting the national torture prevention mechanism; and drafting reports to treaty monitoring bodies. OHCHR has also supported, including through projects jointly funded and implemented with other United Nations agencies, the drafting of a national human rights policy and action plan, which incorporates recommendations from human rights mechanisms and requires the holding of consultations and preparation of a national plan against racism and racial discrimination, and the drafting of a policy on the rights of persons with disabilities. OHCHR also provided training on international and regional protection mechanisms to judges and public defenders, and strategic litigation advice for civil society organizations representing vulnerable groups.[52]

18. Following requests by the Government, including in the 2010 universal periodic review, and having been able to obtain support from donors, OHCHR will be opening a country office in mid-2015. During his 2015 visit to Honduras, the Secretary-General welcomed the Government's willingness to strengthen its relations with the United Nations through the opening of a local OHCHR office.[53]

III. Implementation of international human rights obligations, taking into account applicable international humanitarian law

A. Equality and non-discrimination

19. CERD encouraged the State party to intensify its awareness-raising campaigns and to implement the Convention through the National Action Plan on Racism and Racial Discrimination currently being drawn up.[54]

20. UNCT points out that women suffer discrimination with regard to the enjoyment of the right to work, fair pay and political participation.[55] CERD expressed concern that indigenous and Afro-Honduran women continue to face multiple forms of discrimination and recommended that Honduras include a gender perspective in all policies and strategies against racial discrimination.[56]

21. UNCT points out that, despite the amendments to the Criminal Code to bring national legislation into line with international standards, discriminatory attitudes to sexual orientation and gender identity continue to exist.[57]

B. Right to life, liberty and security of the person

22. The Special Rapporteur on violence against women indicated that the proliferation of small and light weapons, the drug trade, and the actions of violent gangs contributed to high levels of violence. The role and continuing influence of the military in general, particularly in policing and education activities, was of concern.[58]

23. Following up on the concern raised by the Human Rights Committee (HR Committee) at the high number of extrajudicial executions of children, Honduras wrote: "In 2010 there have been 108 reports, of which 36 are still active cases with an identified accused; in 20 cases arrest warrants have been issued and 51 cases are under investigation; only 1 case has been dismissed."[59]

24. The Committee on the Rights of the Child (CRC) requested information about the measures put in place to prevent and investigate murders of children and adolescents, and to punish those responsible.[60] The Committee against Torture (CAT) requested information on measures taken to investigate allegations of extrajudicial killings, in particular of minors.[61]

25. The Working Group on mercenaries noted that in 2011, the murder rate in Honduras had more than doubled since 2005.[62] The Working Group reported that, in the absence of a guarantee of security by the State, the civilian population commonly possessed and carried weapons and firearms to protect themselves. Pursuant to the Act on Control of Firearms, Ammunition, Explosives and Other Related Instruments, every person could apply for a licence to possess and carry up to five firearms.[63] It concluded that the existing legal and regulatory framework fell short of international standards, and its implementation was hampered by the lack of institutional capacity to regulate private security companies, which dominated and controlled the security sector in Honduras. The Working Group recommended, inter alia amending the law and regulations for granting licences to private military and/or security companies;[64] enhancing the capacity of the police and public prosecutors to investigate and prosecute crimes committed by private security guards and to ensure that victims received effective remedies;[65] and amending the Penal Code to include a definition of "mercenary" in domestic legislation and specifically prohibit the activities of mercenaries.[66]

26. The Working Group on Enforced or Involuntary Disappearances noted with concern reports that no significant progress had been made in the search for missing persons.[67]

27. CAT requested that Honduras comment on cases of police brutality and ill-treatment of detainees, in particular by the police patrols and members of the National Criminal Investigation Directorate.[68]

28. UNCT reports that the National Prison System Act represents a significant legislative development. However, it highlights the fact that, in 2013, the Inter-American Commission on Human Rights identified major structural deficiencies that put the lives of persons deprived of their liberty at risk. UNCT points out that the Government is currently developing a national prison policy.[69] CAT requested information about steps that had been taken to improve living conditions and address overcrowding in prisons and other detention centres, and to reduce inter-prisoner violence.[70] CAT also requested details on the findings of the investigation following the fire that had occurred on 15 February 2012 in the Comayagua Prison Farm, in which more than 350 prisoners died.[71]

29. The Special Rapporteur on violence against women indicated that the number of incarcerated women in Honduras was growing, with the major cause of incarceration being associated with gangs, extortion, and dealing in drug- related activities. Her interviews with detainees had revealed a lack of State support, including in terms of access to medical and social services; transport to and from court to attend scheduled hearings; inappropriate legal representation; the length of pretrial detention; and the lack of effective investigation into cases, which resulted in disproportionate sentencing for certain crimes.[72]

30. She also indicated that violence against women was widespread and systematic and that challenges faced in addressing that violence included gender discrimination in the justice system, inconsistencies in the interpretation and implementation of legislation and the lack of access to services that promoted safety and addressed prevention.[73]

31. According to information received by CAT, violence against transgender individuals was a serious problem in Honduras: 10 transgender women had been murdered between November 2010 and November 2011 in attacks ranging from armed assault to ones in which the victims had been set on fire. Reports had been received concerning the alleged involvement of members of the police force in some of those crimes.[74]

32. The Special Rapporteur on violence against women noted that trafficking in persons for the purposes of sexual exploitation was underreported.[75] The Special Rapporteur on the sale of children indicated that some of the good practices she had observed in 2012, such as the unit on commercial sexual exploitation and trafficking of the Office of the Special Prosecutor for Children, were expanding. However, she noted with concern that the special police unit on trafficking had been dismantled and the national complaints hotline known as "Breaking the Silence" discontinued. She urged the authorities to re-establish both.[76]

33. The Special Rapporteur on the sale of children recommended that Honduras eliminate the inconsistencies and gaps in legislation that legitimized exceptions to the minimum age for child labour.[77]

C. Administration of justice, including impunity, and the rule of law

34. In 2012, the Special Rapporteur on the independence of judges and lawyers expressed concern about the removal from office by Congress of four out of the five judges of the Constitutional Chamber of the Supreme Court of Justice, apparently a political reprisal measure.[78] CERD also expressed its concern about the dismissals and reminded Honduras that the principle of judicial tenure is a fundamental guarantee for the protection of judicial independence.[79]

35. UNCT points out that two recommendations arising from the first cycle of the universal periodic review made reference to the case of four Supreme Court judges who had openly criticized the coup d'état,[80] and reports that the case has been submitted to the Inter-American Commission on Human Rights, which has referred it to the Inter-American Court of Human Rights.[81]

36. The Subcommittee on Prevention of Torture recommended that the national preventive mechanism develop guidelines for reporting cases of violations of the rights of persons deprived of their liberty.[82]

37. CERD recommended that Honduras should facilitate access to justice so that indigenous peoples and Afro-Honduran communities and their members may bring individual or collective complaints.[83]

38. In 2013 the Special Rapporteur on the independence of judges and lawyers and the Special Rapporteur on extrajudicial, summary or arbitrary executions sent a communication to Honduras regarding the killing of a judge, against a backdrop of assaults on the independence of the judiciary. The Special Rapporteurs noted reports that this was not the first murder of a member of the country's justice system: 64 had been killed since 2010.[84] In 2012 the United Nations High Commissioner for Human Rights said that the killing of two human rights lawyers was symptomatic of "the chronic insecurity" facing lawyers, journalists and other human rights defenders in the country, and called on the Government to take urgent steps to combat impunity.[85]

39. UNCT reports that the adoption of the Act on the Council of the Judiciary represented a step towards greater independence in the administration of justice. However, questions have been raised about certain provisions of the Act that might leave the way open to external interference, particularly by the President of the Council.[86] In 2011, the Special Rapporteur on the independence of judges and lawyers recommended that the Council's independent and impartial functioning be guaranteed.[87] In 2012, CAT requested information on the measures taken to ensure the full independence of the judiciary.[88]

40. The Special Rapporteur on the situation of human rights defenders recommended that reports of threats and attacks against human rights defenders should be investigated ex officio and that the witness protection programme of the Office of the Public Prosecutor should be significantly strengthened.[89] She noted that the pervasive impunity and absence of effective investigations of human rights violations undermined the administration of justice and damaged the public's trust in the authorities.[90] In 2013, the Special Rapporteur on the right to freedom of opinion and expression made similar observations.[91]

41. The Special Rapporteur on the sale of children noted that a new system of juvenile courts had been established under the Code on Children and Adolescents.[92] She recommended that Honduras reinforce criminal investigation processes and punish perpetrators of the sale and sexual exploitation of children; re-establish the division which had formerly worked to combat the abuse, trafficking and commercial sexual exploitation of children and adolescents (DATESI); allocate more resources to the Office of the Special Prosecutor for Children; and adopt a proactive approach in criminal investigations and prosecutions.[93] CAT requested information on efforts to address the widespread use of preventive detention for minors accused of serious offences such as membership of youth gangs or *maras*.[94] CRC asked about the social rehabilitation services available for children and adolescents recruited by armed groups (including gangs).[95]

42. The Special Rapporteur on violence against women stated that the failure of the authorities to exercise due diligence in investigating, prosecuting and punishing perpetrators of violence against women contributed to an environment of impunity. She was concerned at the lack of sufficient facilities, such as shelters for battered women and safe houses for women who had to enter the witness protection programme.[96]

43. The Special Rapporteur on the right to freedom of opinion and expression underscored the need to give serious consideration to the recommendations of the Truth and Reconciliation Commission.[97] In 2012, CAT asked Honduras to comment on information contained in a report of the Truth and Reconciliation Commission of July 2011, according to which members of the Honduran armed forces and officials of the various national police directorates had taken part in the "systematic obstruction" of criminal investigations into serious human rights violations.[98]

44. The Working Group on Enforced or Involuntary Disappearances noted with concern that the amnesty laws hindered the investigation and prosecution of alleged perpetrators of human rights violations.[99]

D. Right to privacy, marriage and family life

45. UNCT pointed out that the recent amendment to the Family Code had ratified the provisions of the Constitution "prohibiting same sex marriage or de facto union".[100]

E. Freedom of religion or belief, expression, association and peaceful assembly, and right to participate in public and political life

46. The United Nations Educational, Scientific and Cultural Organization (UNESCO) reported that it had recorded 23 killings of journalists or media professionals between 2008 and 2013. According to the information provided to UNESCO by Honduras, the perpetrator had been convicted in one case, and in all others, the judicial inquiries were ongoing.[101]

47. CERD deplored the fact that human rights defenders, especially indigenous and Afro-Honduran leaders, continued to be subjected to serious physical assault. It recommended that Honduras protect them and adopt the bill on protecting human rights defenders, journalists, media professionals and persons responsible for the administration of justice.[102] The Special Rapporteur on the right to freedom of opinion and expression recommended that all cases involving violence directed at journalists, social communicators or human rights defenders be immediately referred to the Office of the Special Prosecutor for Human Rights,[103] and that a mechanism for the protection of those groups be created.[104]

48. In 2014, the Special Rapporteur on the right to freedom of opinion and expression and the Special Rapporteur on the situation of human rights defenders said they would like to see the bill adopted and a mechanism established for the protection of human rights defenders and journalists.[105]

49. In 2014, the Special Rapporteur on the situation of human rights defenders reiterated her concern about the climate of violence and insecurity in which human rights defenders operated.[106]

50. The Special Rapporteur also expressed concern about the great dangers facing defenders of LGBTI rights.[107]

51. The Special Rapporteur was also concerned about the possibility of a counter-amendment to article 321 of the Criminal Code to repeal the section of the article aimed at putting a stop to discrimination on the basis of gender identity and sexual orientation.[108]

52. The Special Rapporteur on the right to freedom of opinion and expression recommended that defamation, slander and libel be decriminalized and converted into matters regulated by civil law,[109] and that journalists and social communicators be protected from frivolous litigation.[110] UNESCO referred to the criminal defamation law in the Penal Code (desacato law – Article 345) and noted that in 2005, the Constitutional Chamber of

the Supreme Court had decided that the defamation law, which penalized offensive expressions directed at public officials with two to four years imprisonment, was unconstitutional. UNESCO noted, however, that in 2013, the Supreme Court had sentenced a journalist to 16 months in prison on criminal defamation charges.[111]

53. CERD recommended that Honduras ensure the full participation of indigenous peoples and Afro-Honduran communities in decision-making institutions and at all levels of public service.[112]

F. Right to work and to just and favourable conditions of work

54. UNCT reports that the right to collective bargaining has been impaired by article 536 of the Labour Code, which states that public employees' unions cannot submit petitions or enter into collective agreements. It also points out that the International Labour Organization (ILO) is currently examining alleged violations of freedom of association.[113]

55. CERD remained concerned about the deplorable situation of the Miskito divers, who suffer work injuries because minimum safe diving conditions are not in place. It requested information about the situation of the Miskito divers concerned, the inspection programmes carried out and the availability of social programmes, insurance schemes and health services.[114]

56. The Special Rapporteur on violence against women indicated that women continued to be disproportionately overrepresented in low paid, part-time and insecure work.[115]

G. Right to social security and to an adequate standard of living

57. CERD noted that the indigenous peoples and Afro-Honduran communities were particularly badly affected by poverty and social exclusion. It urged the Government to implement social inclusion and development policies to reduce inequality and poverty, and recommended that action be taken to break the link between poverty and racism.[116]

58. UNCT mentions the limited availability and unequal distribution of arable land, something which restricts food production. With the adoption of the Act on the Overhaul of Public Finances, a sales tax is now levied, including on some family food basket items, which resulted in price increases of 106 per cent in 2014.[117]

59. UNCT indicates that, despite the fact that the right to decent housing is recognized in the Constitution and notwithstanding the noticeable improvements made as a result of various programmes and the creation of the National Housing Commission, some 13.3 per cent of dwellings nationwide are still without adequate water supply or sanitation. In rural areas, this figure increases to 25 per cent, while in the department of Gracias a Dios 87 per cent of homes do not have access to drinking water.[118]

H. Right to health

60. UNCT reports that, in 2013, the Supreme Court of Justice upheld an application for *amparo* for violation of the right to health care in public hospitals, thereby setting a precedent for the enforceability of economic, social and cultural rights in the national courts.[119]

61. UNCT points out that the free provision of antiretroviral drugs is hampered by shortages, delivery delays and out-of-date medicines.[120]

62. In 2012, the Special Rapporteur on the right to health and the Special Rapporteur on violence against women sent a communication regarding the criminalization of the use of the emergency contraceptive pill. Reports indicated that Decree No. 54-2009, passed by Congress in April 2009, introduced criminal penalties for promoting the use, sale or purchase of the pill, and for any policy relating to the marketing of emergency contraception. Any violation of the Decree would incur the same criminal penalties as provided in the Criminal Code for abortion, i.e., from 3 to 10 years' imprisonment for any person performing or undergoing an abortion.[121]

I. Right to education

63. UNCT reports that the new Education Act establishes that education is free of charge, and compulsory up to secondary level. According to government figures cited by UNCT, education coverage for children aged between 6 and 11 is 92.3 per cent. However, more than 330,000 children are not enrolled in school. The poorest children continue to be the most marginalized group: 53 per cent of children in rural areas do not finish primary education owing to their entry into the labour market.[122]

64. UNESCO acknowledged the adoption of a special plan to give access to education to persons with penal records and increase budget allocations for the education sector. It recommended that Honduras further promote human rights education and take additional measures to include people from vulnerable groups in its educational system.[123]

J. Cultural rights

65. CERD recommended the adoption of multilingual intercultural education, bearing in mind the need to strengthen or revive the languages of the indigenous peoples and Afro-Honduran communities.[124]

K. Persons with disabilities

66. UNCT states that no data is available on the situation of persons with disabilities, which makes it difficult to implement policies and programmes. Although Honduras has an Act on Equity and Comprehensive Development for Persons with Disabilities, it predates the Convention on the Rights of Persons with Disabilities and thus is not in line with the Convention.[125] Honduras has a public policy but implementation has been slow.[126]

L. Minorities and indigenous peoples

67. CERD recommended that Honduras should consider the compatibility of the Organic Act on Employment and Economic Development Areas with the instruments relating to the rights of indigenous peoples and Afro-descendants.[127]

68. CERD noted the lack of consultation on development and natural resources projects and other legislation or projects affecting the indigenous peoples and Afro-Honduran communities. It urged Honduras to develop mechanisms for implementing that right and guaranteeing access to the courts so that they may defend their traditional rights and their right to be consulted before concessions are awarded, as well as their right to receive fair compensation for any harm or damage suffered.[128] UNCT points out that Honduras is a party to the ILO Indigenous and Tribal Peoples Convention, 1989 (No. 169) but has no legislation regulating the consultation mechanism.[129]

69. The Special Rapporteur on violence against women was concerned about violence against indigenous women and women and girls of African descent, and the eviction of indigenous peoples from their lands in favour of corporate development projects, which placed entire communities in situations of extreme risk and vulnerability.[130]

70. UNCT reports that the rates of child mortality and chronic child malnutrition are higher among the indigenous and Afro-Honduran communities than the national average. Non-registration of births also affects those communities more than the rest of the Honduran population, with the Miskito people particularly badly affected.[131]

M. Migrants

71. The Special Rapporteur on violence against women noted reports on the link between gender violence and migration. The causes of migration of women and girls included fleeing because of violence, poverty, lack of opportunity and also a generalized sense of insecurity. The consequences of migration included violence, exploitation, disappearances and forced displacement from families and communities.[132]

72. She noted with concern reports that thousands of unaccompanied children were migrating to a third country, including from Honduras. They were fleeing rising levels of extreme poverty, extortion, risks of forcible recruitment into gangs in their local communities and schools, physical violence, domestic abuse and/or other types of insecurity.[133] CRC requested information on the measures that are to be adopted in order to receive children and adolescents at risk of deportation from another country and ensure that they are returned under humane and safe conditions.[134]

Notes

[1] Unless indicated otherwise, the status of ratification of instruments listed in the table may be found on the official website of the United Nations Treaty Collection database, Office of Legal Affairs of the United Nations Secretariat, http://treaties.un.org/. Please also refer to the United Nations compilation on Honduras from the previous cycle (A/HRC/WG.6/9/HND/2).

[2] The following abbreviations have been used in the present document:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination;
ICESCR	International Covenant on Economic, Social and Cultural Rights;
OP-ICESCR	Optional Protocol to ICESCR;
ICCPR	International Covenant on Civil and Political Rights;
ICCPR-OP 1	Optional Protocol to ICCPR;
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty;
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women;
OP-CEDAW	Optional Protocol to CEDAW;
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;
OP-CAT	Optional Protocol to CAT;
CRC	Convention on the Rights of the Child;
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict;
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography;
OP-CRC-IC	Optional Protocol to CRC on a communications procedure;
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families;
CRPD	Convention on the Rights of Persons with Disabilities;
OP-CRPD	Optional Protocol to CRPD;
ICPPED	International Convention for the Protection of All Persons from Enforced Disappearance.

[3] Individual complaints: ICCPR-OP 1, art. 1; OP-CEDAW, art. 1; OP-CRPD, art. 1; OP-ICESCR, art. 1; OP-CRC-IC, art. 5; ICERD, art. 14; CAT, art. 22; ICRMW, art. 77; and ICPPED, art. 31. Inquiry procedure: OP-CEDAW, art. 8; CAT, art. 20; ICPPED, art. 33; OP-CRPD, art. 6; OP-ICESCR, art. 11; and OP-CRC-IC, art. 13. Inter-State complaints: ICCPR, art. 41; ICRMW, art. 76; ICPPED, art. 32; CAT, art. 21; OP-ICESCR, art. 10; and OP-CRC-IC, art. 12. Urgent action: ICPPED, art. 30.

[4] Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

[5] Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (First Convention); Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea (Second Convention); Geneva Convention relative to the Treatment of Prisoners of War (Third Convention); Geneva Convention relative to the Protection of Civilian Persons in Time of War (Fourth Convention); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Adoption of an Additional Distinctive Emblem (Protocol III). For the official status of ratifications, see International Committee of the Red Cross, at https://www.icrc.org/IHL.

[6] International Labour Organization Convention No. 29 concerning Forced or Compulsory Labour; Convention No. 105 concerning the Abolition of Forced Labour; Convention No. 87 concerning Freedom of Association and Protection of the Right to Organise; Convention No. 98 concerning the Application of the Principles of the Right to Organise and to Bargain Collectively; Convention No. 100 concerning Equal Remuneration for Men and Women Workers for Work of Equal Value; Convention No. 111 concerning Discrimination in Respect of Employment and Occupation; Convention No. 138 concerning Minimum Age for Admission to Employment; Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.

[7] International Labour Organization Convention No. 169 concerning Indigenous and Tribal Peoples in Independent Countries.

[8] International Labour Organization Convention No. 189 concerning Decent Work for Domestic Workers.

[9] Concluding observations of the Committee on the Elimination of Racial Discrimination on the combined initial and second to fifth periodic reports of Honduras (CERD/C/HND/CO/1-5), para. 22.

[10] Ibid., para. 23.

[11] UNCT, submission for the UPR of Honduras, paras. 4–6.

[12] Ibid., para. 5.

[13] Ibid., para. 5

[14] Ibid., para. 5

[15] CERD/C/HND/CO/1-5, para. 9.

[16] Ibid., para. 10.

[17] UNCT, submission for the UPR of Honduras, para. 27. See also list of issues prior to the submission of the second periodic report of Honduras adopted by the Committee against Torture (CAT/C/HND/Q/2), para. 1.

[18] UNCT, submission for the UPR of Honduras, para. 6.

[19] Press release dated 25 April 2014, "UN expert on sale and sexual exploitation of children asks Honduras for measures to effectively protect children". Available from www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=14539&LangID=E, and the report of the Special Rapporteur on the sale of children, child prostitution and child pornography, Ms. Najat Maalla M'jid: Follow-up visit to Honduras (A/HRC/28/56/Add.1), para.18. See also the list of issues in relation to the report submitted by Honduras under article 12, paragraph 1, of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (CRC/C/OPSC/HND/Q/1), para. 7.

[20] UNCT, submission for the UPR of Honduras, para. 38.

[21] According to article 5 of the rules of procedure of the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC) Sub-Committee on Accreditation, the classifications for accreditation used by the Sub-Committee are: A: Voting

Member (fully in compliance with each of the Paris Principles), B: Non-Voting Member (not fully in compliance with each of the Paris Principles or insufficient information provided to make a determination), C: No Status (not in compliance with the Paris Principles).

[22] For the list of national human rights institutions with accreditation status granted by the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC), see A/HRC/27/40, annex.

[23] CERD/C/HND/CO/1-5, para. 12. See also CAT/C/HND/Q/2, para. 6.

[24] Report of the Special Rapporteur on the situation of human rights defenders, Margaret Sekaggya: Mission to Honduras (A/HRC/22/47/Add.1), para. 140. See also CAT/C/HND/Q/2, para. 6.

[25] UNCT, submission for the UPR of Honduras, para. 9.

[26] A/HRC/28/56/Add.1, para. 48 (a).

[27] CERD/C/HND/CO/1-5, para. 12.

[28] Report on the visit made by the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment for the purpose of providing advisory assistance to the national preventive mechanism of Honduras (CAT/OP/HND/3), para. 10. See also CAT/C/HND/Q/2, para. 5.

[29] CAT/OP/HND/3, para. 13.

[30] CAT/OP/HND/3, para. 29. See also CAT/C/HND/Q/2, para. 5.

[31] CAT/OP/HND/3, para. 30.

[32] CERD/C/HND/CO/1-5, para. 11.

[33] Press release dated 14 July 2014, "Special Rapporteur on violence against women finalizes country mission to Honduras and calls for urgent action to address the culture of impunity for crimes against women and girls". Available from www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=14833&LangID=E.

[34] CERD/C/HND/CO/1-5, para. 3.

[35] UNCT, submission for the UPR of Honduras, para. 12.

[36] A/HRC/28/56/Add.1, para. 48 (a).

[37] The following abbreviations have been used in the present document:

CERD	Committee on the Elimination of Racial Discrimination;
CESCR	Committee on Economic, Social and Cultural Rights;
HR Committee	Human Rights Committee;
CEDAW	Committee on the Elimination of Discrimination against Women;
CAT	Committee against Torture;
CRC	Committee on the Rights of the Child;
CMW	Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families;
CRPD	Committee on the Rights of Persons with Disabilities;
CED	Committee on Enforced Disappearances;
SPT	Subcommittee on Prevention of Torture.

[38] CERD/C/HND/CO/1-5, para. 27.

[39] Concluding observations of the Human Rights Committee (CCPR/C/HND/CO/1), para. 21.

[40] Information supplied by Honduras on the implementation of the concluding observations of the Human Rights Committee (CCPR/C/HND/CO/1/Add.1).

[41] Further information received from Honduras on the implementation of the concluding observations of the Human Rights Committee (CCPR/C/HND/CO/1/Add.2).

[42] Letter from HR Committee to the Permanent Mission of Honduras to the United Nations Office and other international organizations in Geneva, dated 16 December 2010, available from http://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/HND/INT_CCPR_FUL_HND_11815_S.pdf (accessed 5 December 2014). See also letters from HR Committee to the Permanent Mission of Honduras to the United Nations Office and other international organizations in Geneva, dated 27 August 2009, 2 February 2010 and 28 September 2010, available from http://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/HND/INT_CCPR_FUL_HND_11818_S.pdf; http://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/HND/INT_CCPR_FUL_HND_11817_S.pdf; and http://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/HND/INT_CCPR_FUL_HND_11816_S.pdf (accessed 5 December 2014).

[43] Concluding observations of the Committee against Torture (CAT/C/HND/CO/1), para. 31.

[44] Letter from CAT to the Permanent Mission of Honduras to the United Nations Office and other international organizations in Geneva, dated 28 March 2011, available from http://tbinternet.ohchr.org/Treaties/CAT/Shared%20Documents/HND/INT_CAT_FUR_HND_12339_E.pdf (accessed 5 December 2014). See also CAT/C/HND/Q/2, para. 40.
[45] CAT/OP/HND/3.
[46] For the titles of special procedures, see www.ohchr.org/EN/HRBodies/SP/Pages/Themes.aspx and www.ohchr.org/EN/HRBodies/SP/Pages/Countries.aspx.
[47] Report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression: Mission to Honduras (A/HRC/23/40/Add.1) and Informe del Relator Especial sobre la promoción y protección del derecho a la libertad de opinión y expresión sobre su misión a Honduras: comentarios del Estado sobre el informe del Relator Especial (A/HRC/23/40/Add.3).
[48] A/HRC/28/56/Add.1.
[49] Informe del Grupo de Trabajo sobre las Desapariciones Forzadas o Involuntarias: Informe de seguimiento a las recomendaciones hechas por el Grupo de Trabajo sobre las misiones a Guatemala y Honduras (A/HRC/16/48/Add.2).
[50] See www.ohchr.org/EN/HRBodies/SP/Pages/CountryvisitsF-M.aspx.
[51] See www.ohchr.org/EN/Countries/LACRegion/Pages/HNHRAdviser.aspx.
[52] OHCHR Report 2014 (forthcoming); OHCHR Report 2013, pp. 267–269; OHCHR Report 2012, p. 234; OHCHR Report 2011, pp. 295–297 and OHCHR Report 2010, pp. 170–171.
[53] Press release dated 20 January 2015, "Activities of Secretary-General in Honduras, 14–15 January" (SG/T/3008). Available from www.un.org/press/en/2015/sgt3008.doc.htm.
[54] CERD/C/HND/CO/1-5, para. 13.
[55] UNCT, submission for the UPR of Honduras, para. 18.
[56] CERD/C/HND/CO/1-5, para. 14.
[57] UNCT, submission for the UPR of Honduras, para. 20.
[58] Press release, see note 34 above.
[59] CCPR/C/HND/CO/1/Add.2, para. 1.
[60] Lista de cuestiones relativa a los informes periódicos cuarto y quinto combinados de Honduras aprobada por el Comité de los Derechos del Niño (CRC/C/HND/Q/4–5), part I, para. 7.
[61] CAT/C/HND/Q/2, para. 31.
[62] Report of the Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination: Mission to Honduras (A/HRC/24/45/Add.1), para. 12.
[63] Ibid., para. 13.
[64] Ibid., p. 2 and para. 55 (a).
[65] Ibid., para. 55 (f).
[66] Ibid., para. 55 (i).
[67] A/HRC/16/48/Add.2, para. 16. See also CAT/C/HND/Q/2, para. 30.
[68] CAT/C/HND/Q/2, para. 29.
[69] UNCT, submission for the UPR of Honduras, para. 28.
[70] CAT/C/HND/Q/2, para. 20.
[71] Ibid., para. 23.
[72] Press release, see note 34 above.
[73] Ibid.
[74] CAT/C/HND/Q/2, para. 10.
[75] Press release, see note 34 above.
[76] Press release, see note 20 above.
[77] Report of the Special Rapporteur on the sale of children, child prostitution and child pornography, Najat Maalla M'jid: Mission to Honduras (A/HRC/22/54/Add.2), para. 111 (a).
[78] Communications report of Special Procedures: Communications sent, 1 December 2012 to 28 February 2013; Replies received, 1 February to 30 April 2013 (A/HRC/23/51), p. 27. See also press release dated 29 January 2013, "Grave atentado a la democracia en Honduras la destitución de magistrados de la Sala Constitucional". Available from www.ohchr.org/SP/NewsEvents/Pages/DisplayNews.aspx?NewsID=12958&LangID=S, and CAT/C/HND/Q/2, para. 7.
[79] CERD/C/HND/CO/1-5, para. 18. See also CAT/C/HND/Q/2, para. 7.

[80] Report of the Working Group on the Universal Periodic Review: Honduras (A/HRC/16/10). Para. 82.72: "Carry out investigations into the recent dismissal of three judges and one magistrate so that, if it is appropriate, they are reinstated, and adopt measures to ensure the immovability of members of the judiciary (Mexico)"; and para. 83.11: "Drop any disciplinary proceedings against judges perceived as critical of the legality of the coup d'état (Slovakia)".
[81] UNCT, submission for the UPR of Honduras, para. 30.
[82] CAT/OP/HND/3, para. 27.
[83] CERD/C/HND/CO/1-5, para. 16.
[84] Communications report of Special Procedures: Communications sent, 1 June to 30 November 2013; Replies received, 1 August 2013 to 31 January 2014 (A/HRC/25/74), p. 59.
[85] Press release dated 26 September 2012, "Pillay urge medidas para enfrentar la 'inseguridad crónica' que sufren abogados, periodistas y defensores de derechos humanos en Honduras". Available from www.ohchr.org/SP/NewsEvents/Pages/DisplayNews.aspx?NewsID=12581&LangID=S.
[86] UNCT, submission for the UPR of Honduras, para. 29.
[87] Report of the Special Rapporteur on the independence of judges and lawyers, Gabriela Knaul: Subregional consultation on the independence of the judiciary in Central America (A/HRC/23/43/Add.4), para. 106.
[88] CAT/C/HND/Q/2, para. 7.
[89] A/HRC/22/47/Add.1, para. 139.
[90] Ibid., para. 120.
[91] A/HRC/23/40/Add.1, para. 89.
[92] A/HRC/22/54/Add.2, para. 50.
[93] A/HRC/28/56/Add.1, para. 48 (a).
[94] CAT/C/HND/Q/2, para. 21. See also CRC/C/HND/Q/4-5, part I, para. 16.
[95] CRC/C/HND/Q/4-5, part. I, para. 15. See also CRC/C/OPAC/HND/Q/1, paras. 4 and 6.
[96] Press release, see note 34 above.
[97] A/HRC/23/40/Add.1, para. 91.
[98] CAT/C/HND/Q/2, para. 26.
[99] A/HRC/16/48/Add.2, para. 18.
[100] UNCT, submission for the UPR of Honduras, para. 36.
[101] UNESCO, submission for the UPR of Honduras, para. 24.
[102] CERD/C/HND/CO/1-5, para. 15. See also CAT/C/HND/Q/2, para. 36.
[103] A/HRC/23/40/Add.1, para. 93 (g).
[104] Ibid., para. 93 (b).
[105] Press release dated 17 April 2014 "La impunidad perpetúa la violencia contra periodistas y defensores de derechos humanos en Honduras". Available from www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=14523&LangID=E. See also CERD/C/HND/CO/1-5, para. 15.
[106] Report of the Special Rapporteur on the situation of human rights defenders, Margaret Sekaggya: Observations on communications transmitted to Governments and replies received (A/HRC/25/55/Add.3), paras. 192 and 194. See also Report of the Special Rapporteur on the rights to freedom of peaceful assembly and of association, Maina Kiai: Observations on communications transmitted to Governments and replies received (A/HRC/23/39/Add.2), paras. 176–181.
[107] A/HRC/25/55/Add.3, para 193.
[108] Ibid.
[109] A/HRC/23/40/Add.1, para. 95 (a).
[110] Ibid., para. 95 (b).
[111] UNESCO, submission for the UPR of Honduras, para. 21. See submission for case cited.
[112] CERD/C/HND/CO/1-5, para. 21.
[113] UNCT, submission for the UPR of Honduras, para. 40. See also www.ilo.org/dyn/normlex/es/f?p=NORMLEXPUB:11110:0::NO::P11110_COUNTRY_ID:102675.
[114] CERD/C/HND/CO/1-5, para. 19.
[115] Press release, see note 34 above.
[116] CERD/C/HND/CO/1-5, para. 7. See also UNCT, submission for the UPR of Honduras, para. 19.
[117] UNCT, submission for the UPR of Honduras, para. 43.
[118] Ibid., para. 45.
[119] Ibid., para. 46.

[120] Ibid., para. 47.
[121] A/HRC/23/51, p. 18.
[122] UNCT, submission for the UPR of Honduras, paras. 52–53.
[123] UNESCO, submission for the UPR of Honduras, paras. 27–28.
[124] CERD/C/HND/CO/1-5, para. 7. See also UNESCO, submission for the UPR of Honduras, para. 31.
[125] UNCT, submission for the UPR of Honduras, paras. 57–59.
[126] Ibid., para. 60. See also CRC/C/HND/Q/4-5, part. I, para. 11.
[127] CERD/C/HND/CO/1-5, para. 17.
[128] Ibid., para. 20.
[129] UNCT, submission for the UPR of Honduras, para. 63.
[130] Press release, see note 34 above.
[131] UNCT, submission for the UPR of Honduras, para. 61.
[132] Press release, see note 34 above.
[133] Ibid.
[134] CRC/C/HND/Q/4-5, part I, para. 14.

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Honduras*

The present report is a summary of 33 stakeholders' submissions[1] to the universal periodic review. It follows the general guidelines adopted by the Human Rights Council in its decision 17/119. It does not contain any opinions, views or suggestions on the part of the Office of the United Nations High Commissioner for Human Rights (OHCHR), nor any judgement or determination in relation to specific claims. The information included herein has been systematically referenced in endnotes and, to the extent possible, the original texts have not been altered. As provided for in Human Rights Council resolution 16/21, where appropriate, a separate section is provided for contributions by the national human rights institution of the State under review that is accredited in full compliance with the Paris Principles. The full texts of all submissions received are available on the OHCHR website. The report has been prepared taking into consideration the periodicity of the review and developments during that period.

* The present document was not edited before being sent to United Nations translation services.

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Information provided by stakeholders

A. Background and framework

1. Scope of international obligations[2]

1. Joint Submission 8 (JS8) regretted that Honduras had not recognized the competence of the Committee on Enforced Disappearances to receive and consider complaints from victims or States parties.[3]

2. The COIPRODEN children's rights network said that there was no interest in ratifying other treaties and pointed out that, inter alia, the Optional Protocol to the International Covenant on Civil and Political Rights, the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women and the Optional Protocol to the Convention on the Rights of the Child on a communications procedure were pending ratification.[4] Joint Submission 2 (JS2) said that it was essential for Honduras to ratify the Optional Protocol to the International Covenant on Civil and Political Rights.[5]

3. Joint Submission 9 (JS9) and Joint Submission 5 (JS5)[6] recommended that Honduras ratify the International Labour Organization (ILO) Domestic Workers Convention, 2011 (No. 189) and adopt the ILO Domestic Workers Recommendation, 2011 (No. 201) and the ILO HIV and AIDS Recommendation, 2010 (No. 200).[7]

4. Joint Submission 4 (JS4) recommended that Honduras ratify the ILO conventions that are pending ratification, including the Minimum Wage Fixing Convention, 1970 (No. 131); the Holidays with Pay Convention (Revised), 1970 (No. 132); the Labour Inspection (Agriculture) Convention, 1969 (No. 129); the Occupational Safety and Health Convention, 1981 (No. 155); the Labour Relations (Public Service) Convention, 1978 (No. 151); and the Domestic Workers Convention, 2011 (No. 189).[8]

2. Constitutional and legislative framework

5. JS5 recommended the adoption of a law on gender identity that would allow persons to be legally identified in the national registry according to their sexual orientation and image.[9]

6. AI noted that the Criminal Code was reformed in 2013, enabling punishment of hate crimes, but has yet to be implemented. Worryingly, some Members of Congress have attempted to get the reform repealed.[10]

7. Joint Submission 1 (JS1) noted that Honduras had amended its Criminal Code to bring the definition of the crime of torture into line with the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the crime of enforced disappearance into line with the International Convention for the Protection of All Persons from Enforced Disappearance.[11]

8. AI also called on Honduras to approve the "Law to Protect Journalists, Human Rights Defenders and Justice System Workers", and provide adequate resources to establish an effective protection mechanism.[12]

9. In accordance with universal periodic review recommendations, JS1 recommended that Honduras adopt the law on protection for defenders, taking into consideration the input of civil society.[13] JS5 said that the law should meet the criteria established by the Inter-American Court of Human Rights in the case of *Luna López v. Honduras*.[14]

10. CIVICUS recommended that the "Special Law for Non-Governmental Development Organizations and the Executive Accord 65-2013" be amended to create an enabling environment for civil society organizations.[15]

11. JS10 recommended that Honduras review the Law on Official Secrets and Classification of Information to ensure that it cannot be used to unlawfully restrict the right to freedom of expression and; repeals the Special Law on Interception of Private Communications and; decriminalises defamation and make it a civil offence.[16]

12. The Observatory for the Human Rights of the Indigenous Peoples of Honduras (ODHPINH) reported that almost two decades after ratifying the ILO Indigenous and Tribal Peoples Convention, 1989 (No. 169), Honduras had not amended its national legislation. Honduras was trying to water down the Convention with a secondary indigenous law that had been under discussion in the national Congress for more than a decade.[17]

13. JS2 recommended proceeding with the development of a new agrarian law and establishing agrarian tribunals.[18]

3. Institutional and human rights infrastructure and policy measures

14. AI indicated that under the leadership of the Ministry of Justice and Human Rights, created in 2010, measures were taken to implement the recommendations, as reflected in the mid-term report submitted in 2013. However most of the formal decisions made have had very little impact on the human rights situation in practice.[19]

15. The COIPRODEN children's rights network noted that in 2013 Honduras had reported that it had implemented 85 of the 129 recommendations and was in the process of implementing 38 of them. However, the implementation of the remaining recommendations might be hindered by the dissolution of the Ministry of Justice and Human Rights.[20]

16. JS10 indicated that there are concerns about the limited budget and selection process of the Office of the National Commissioner for Human Rights (CONADEH).[21] In keeping with recommendations regarding the Office, JS1 recommended strengthening its independence and ensuring the budget it needs to carry out its work.[22]

17. International Service for Human Rights (ISHR) recommended to strengthen CONADEH, which should include a focal point on human rights defenders.[23] CIVICUS recommended that CONADEH investigate cases on threats to human rights defenders referred to it.[24]

18. JS8 viewed the conversion of the Ministry to an Under-Secretariat as a step backwards.[25] The Disability Sector Alliance (Joint Submission 7) said that the approach of the current Under-Secretariat of Human Rights and Justice was one of welfarism and political clientelism.[26] In accordance with universal periodic review recommendations, JS1 recommended reinstating the Ministry of Human Rights, with the status and operational structure afforded to it under Legislative Decree No. 177-2010 on its establishment and Executive Decree No. PCM-027-200 on its organization and scope.[27]

19. The COIPRODEN children's rights network said that Honduras lacked an effective system of comprehensive protection for children and that actions taken by government agencies are isolated and short-sighted.[28] Moreover, the Directorate for Children, Adolescents and Family (DINAF) within the Ministry of Social Development had still not been allocated funding under the government budget for its work.[29]

20. JS8 said that the Inter-Agency Commission to Combat the Commercial Sexual Exploitation of Children and Adolescents lacked resources.[30]

21. AI indicated that the commitment of the new government to put human rights at the forefront has yet to be reflected. AI called on Honduras to take concrete actions to implement the "Public Policy and National Plan of Action on Human Rights".[31]

22. The COIPRODEN children's rights network said that the resources needed to implement the second National Action Plan for the Prevention and Elimination of Child Labour 2008–2015 were not available.[32]

23. The Sexual Diversity Committee of Honduras (Joint submission 6) recommended the development and adoption of a public policy that would ensure the enjoyment of rights by members of the lesbian, gay, bisexual and transgender (LGBT) community, as well as the establishment of a body to administer the policy.[33]

24. AI called on Honduras to adopt and implement policies and programmes that promote tolerance to sexual diversity and the human rights of LGBTI rights.[34]

25. JS5 recommended that Honduras adopt a national policy to protect and promote the rights of indigenous and Afro-Honduran peoples.[35]

B. Cooperation with human rights mechanisms

26. JS2 recommended that Honduras ensure compliance with the observations and recommendations made to the country by the various United Nations bodies.[36]

27. The COIPRODEN children's rights network noted that in addition to the recommendations arising from its first universal periodic review, Honduras had voluntarily committed to begin drafting a national human rights action plan through an inclusive process; launch a debate in the National Congress with a view to bringing its legislation on telecommunications into line with international standards; promote the amendment of the Criminal Code to bring the definition of the crime of torture into line with the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; encourage discussion of the bill against trafficking in persons and commercial sexual exploitation; and step up efforts to improve public safety.[37]

1. Cooperation with special procedures

28. JS2 recommended that Honduras encourage visits from the Special Rapporteur on the adverse effects of the movement and dumping of toxic and dangerous products and wastes on the enjoyment of human rights; the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context; the Special Rapporteur on the right to food and the Special Rapporteur on the independence of judges and lawyers.[38]

29. JS1 recommended that Honduras comply with the recommendations arising from the 2006 and 2013 missions of the Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination.[39]

2. Cooperation with the Office of the United Nations High Commissioner for Human Rights

30. Joint Submission 10 (JS10) recommended the opening of an Office of the High Commissioner for Human Rights (OHCHR) in Honduras.[40]

31. JS2 recommended that the Office of the United Nations High Commissioner for Human Rights expand its monitoring activities by opening an office in Honduras, including

in areas where there are conflicts arising from the implementation of infrastructure development models and extractive and agro-industrial activities.[41]

32. JS5 recommended establishing a permanent office of the Office of the United Nations High Commissioner for Human Rights, in consultation with civil society.[42]

C. Implementation of international human rights obligations

1. Equality and non-discrimination

33. Cultural Survival (CS) indicated that Indigenous and Afro-Indigenous Peoples continue to be discriminated against.[43]

34. AI called on Honduras to take measures to ensure the effective implementation of Article 321 of the Criminal Code CC, which sanctions hate crime.[44]

35. Cattrachas said that the rise in the number of violent deaths among members of the sexually diverse community between 2010 and 2014 showed that the establishment of a special investigations unit had not solved the problem of discrimination on the basis of sexual orientation and gender identity.[45]

36. RedTraSex indicated that women sex workers suffered discrimination, persecution, police violence and risk of arbitrary detention. It recommended that Honduras develop human rights awareness and training programmes for public servants.[46]

2. Right to life, liberty and security of the person

37. Making reference to UPR recommendations,[47] Congregation of Our Lady of Charity of the Good Shepherd (CLCGS) expressed concern about the vulnerability and high risk that children, girls and young people are exposed to, due to the increased crime, violence, extortion, kidnapping, death threats and the recruitment of children for criminal activities.[48]

38. RedTraSex noted that 16 women sex workers had been murdered between 2013 and 2014 and recommended investigating and prosecuting those murder cases, drafting protocols for justice officials and providing free legal advice to victims.[49]

39. AI indicated that there has been a growing militarization of the country. Various groups are now in charge of policing, including the Inter-institutional Security Force, the TIGRES Unit and the Public Order Military Police. AI called on Honduras to ensure that policing functions by the army is only a temporary measure, that such tasks are strictly regulated and carried out with respect for human rights and the rule of law; that human rights training is provided to those in charge of security and policing functions; that it takes effective measures to reduce and control the proliferation of firearms and to regulate and control private security companies.[50]

40. The National Committee for the Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment (national preventive mechanism) (MNP-CONAPREV) expressed concern about recurring misconduct by police and military officers when arresting individuals and about the practice of publicly exposing those arrested, who are presumed to be innocent. The Committee noted that it had repeatedly recommended establishing a single register of detainees, but to no avail as of yet.[51]

41. JS8 said that from 2010 to 2014 the Committee of the Families of Detained and Disappeared Persons in Honduras reported 16 cases of enforced disappearance for political reasons and 4 cases involving the disappearance of campesinos in connection with land claims.[52]

42. JS8 noted that in 2012, Honduras had incorporated the offence of enforced disappearance into its current Criminal Code; however, the Code did not state that the offence would be deemed continuous or permanent as long as the fate or whereabouts of the victim had not been determined, as laid down in international instruments. JS8 also said that Honduras had not heeded the observations of the Inter-American Court of Human Rights, including on the establishment of a national register of detainees.[53]

43. The Centre for the Prevention, Treatment and Rehabilitation of Torture Victims and their Relatives (CPTRT) mentioned cases of unlawful detention under the Police and Harmonious Social Relations Act: the detaining authority (the national police, military or military police) was imposing a penalty of 24-hour detention, without a judge or other authority reviewing the legal grounds for the detention.[54] The Centre also reported that acts of torture were being committed in illegal (clandestine) detention centres by the new national anti-extortion police force.[55]

44. MNP-CONAPREV said that overcrowding, poor-quality food and lack of medical care, potable water and rehabilitation and reintegration programmes were adversely affecting persons deprived of their liberty. It also noted deplorable conditions for women in mixed prisons and the continued use of corporal punishment in prisons. MNP-CONAPREV expressed concern about conditions for sexually diverse persons deprived of their liberty and about the involvement of the military in prison management.[56] It recommended the adoption and application of general and disciplinary regulations under the National Prison System Act.[57]

45. In 2013, the Inter-American Commission on Human Rights (IACHR) noted the State should adopt comprehensive public policies designed to overcome the serious structural deficiencies and ensure that the prison system is designed to meet the objectives of imprisonment, namely, the rehabilitation of criminally convicted persons.[58]

46. Joint Submission 14 (JS14) reported that despite the enactment of laws to address gender-based violence, little has changed since 2010.[59] JS14 recommended that Honduras strengthen the criminal justice response to gender-related killing of women and girls, in particular measures to support its capacity to investigate, prosecute, and punish all forms of such crime and provide reparation and/or compensation to victims and their families; establish a comprehensive program to protect women from violence; and establish crisis centres and shelters.[60]

47. The COIPRODEN children's rights network reported that sexual exploitation of children was quite prevalent in certain areas, particularly those with significant tourist or trade activity.[61]

48. The COIPRODEN children's rights network noted that child labour and begging continued.[62] JS4 recommended strengthening the Inspectorate-General of Labour and the Child Labour Inspectorate Unit within the Ministry of Labour and Social Security.[63]

49. The COIPRODEN children's rights network also said that the Armed Forces' Guardians of the Nation programme violated the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict and that minors were being exposed to military practices, weapons and a discipline that was not suitable for minors and were being put within dangerous proximity of military training camps.[64]

3. Administration of justice, including impunity and the rule of law

50. AI noted the lack of trust in the administration of justice and the widespread impunity.[65] JS8 was concerned about interference by authorities from other branches of government in the judiciary, in spite of universal periodic review recommendations.[66]

51. The Association of Judges for Democracy (AJD) highlighted problems arising from judges' and magistrates' lack of independence and stability.[67] JS5 recommended that the Council of the Judiciary instigate transparent and impartial procedures for selecting, appointing and promoting judges and establish in law an entire regulatory framework for disciplinary proceedings against judges.[68]

52. AI called on Honduras to strengthen and guarantee the autonomy, independence and impartiality of the judiciary, including by adopting safeguards to prevent irregular dismissals and appointments; to adopt measures to guarantee the effective and fair access to the justice system for all, without discrimination, including protocols to enable equal access to people in situations of vulnerability; guarantee that all complaints of human rights violations or abuses committed by the police, armed forces, members of private security companies or any other actors, are promptly, independently and exhaustively investigated and sanctioned, and that the victims have access to remedy and reparation.[69]

53. On 17 March 2014, IACHR filed an application with the Inter-American Court of Human Rights in Case No. 12.816, due to the failure by Honduras to comply with its recommendations. The case has to do with disciplinary proceedings instituted against three judges and one magistrate in the context of the June 2009 coup d'état in Honduras. The IACHR had recommended, inter alia, that the State reinstate the victims into the judiciary; redressing the consequences of the human rights violations established in the case; that the necessary regulatory changes be ordered to ensure that disciplinary proceedings against judges are carried out by competent authorities and with sufficient guarantees of independence and impartiality.[70]

54. AI reported that in 2012, the National Congress voted to remove four of the five judges who comprise the Constitutional Chamber of the Supreme Court of Justice, in what it appears to be a worrying interference in the independence of the judicial system. The judges had earlier delivered a judgment that blocked a law proposed by Congress intended to facilitate a clean-up of the police force. The judges had found aspects of the law to be unconstitutional. It noted that the IACHR has urged the government to respect and guarantee the independence of the judiciary.[71]

55. AI reported that in 2013, extraordinary measures were taken by Congress, which included the suspension and removal of the Attorney General and his Deputy. In April 2013, the then Attorney General had explained to the National Congress that the Public Prosecution Service had the capacity to investigate only 20% of the country's homicides.[72]

56. JS6 said that the justice system was not very effective in investigating or trying cases of discrimination or hate crimes.[73]

57. AI called on Honduras to implement protocols to enable impartial access to the justice system, both at the investigative stage and during prosecution and punishment of hate crimes.[74]

58. JS9 recommended that Honduras ensure that cases of violence against women were investigated with due diligence and that perpetrators were punished and victims compensated.[75] AI called on Honduras to guarantee the protection and effective access to justice of women victims of violence, including by ensuring effective implementation of Article 321 of the CC, which sanctions the crime of femicide.[76]

59. MNP-CONAPREV regretted the decision to discontinue alternative sentencing for 21 offences (reform of the Code of Criminal Procedure in 2013), which had led to an increase in the prison population. It also regretted the lack of willingness to discuss and adopt a law on release from prison on humanitarian grounds or a law on remission of sentence.[77]

60. Joint Submission 3 (JS3) recommended ensuring access to justice for victims affected by extractive activities.[78]

61. JS8 noted that Honduras had legal and normative tools to regulate and monitor juvenile criminal justice, but that there were limitations in their application.[79] The Centre for the Prevention, Treatment and Rehabilitation of Torture Victims and their Relatives reported that in public forums young people were being blamed for violence and that key State public safety officials had even suggested lowering the age of criminal responsibility.[80]

62. The COIPRODEN children's rights network said that restorative justice principles were not being systematically applied in cases involving juvenile offenders.[81] MNP-CONAPREV reported that it had noted ill-treatment of children in conflict with the law by personnel responsible for their custody, as well as inadequate perimeter security measures. There are no programmes geared towards facilitating the rehabilitation or social reintegration of juvenile offenders, nor is there judicial support to monitor the conditions under which they are deprived of their liberty or oversee the enforcement of their sentences.[82]

63. AI called on Honduras to ensure that investigations into attacks and threats against human rights defenders result in the punishment of perpetrators and reparation for damages caused; comply with the recommendations of the UN Special Rapporteur on the situation of human rights defenders and of the IACHR.[83]

64. JS10 noted Honduras had agreed to support the Truth and Reconciliation Commission established in 2010 to examine the coup, including human rights violations. The current position on implementation of the Commission's recommendations is unclear. The unit created to monitor implementation has been disbanded, while the recommendations have reportedly been incorporated into the National Human Rights Policy and Action Plan, where there is no specific oversight mechanism.[84]

65. JS8 noted that Honduras had adopted a decree establishing amnesty for persons connected with the events surrounding the 2009 coup d'état. To date, investigating judges had applied the decree to 22 military officers implicated in acts of torture, closure of media outlets and unlawful detention. The decree was impeding the investigation and punishment of perpetrators.[85]

4. Freedom of religion or belief, expression, association and peaceful assembly, and right to participate in public and political life

66. JS11 expressed concern about attempts to silence journalists and human rights defenders through legal measures; problematic regulation of the media and restrictions to the right to access information.[86] JS10 reported that since 2010, at least 26 journalists have been killed[87] and that journalists and human rights defenders at risk have been awarded precautionary measures by the IACHR.[88] Protection International also referred to IACHR concerns.[89] World Alliance for Citizen Participation (CIVICUS) recommended that a mechanism be established to investigate threats against journalists.[90]

67. FrontLine indicated that human rights defenders and journalists are subject to intimidation, surveillance, stigmatisation and smear campaigns, death threats, arbitrary detention, judicial harassment, abduction, physical attacks and killings.[91] Franciscans International (FI) indicated that measures to amend the national legal framework and public policies relating to the human rights situation of defenders fell short of the expectations embodied in accepted recommendations.[92] JS3 recommended putting an end to the persecution and harassment of human rights defenders.[93] ISHR recommended that Honduras recognize the important role of human rights defenders.[94]

68. JS11 and JS9 noted that women human rights defenders are particularly vulnerable to attacks.[95] CS urged Honduras to respect the right of protesters demanding land rights.[96] CIVICUS reported that those working on LGBTI, child, women's rights and environmental issues have been systematically targeted by state authorities.[97]

69. AI called on Honduras to ensure that human rights defenders can freely carry out their activities without unfair restrictions or fear of reprisals, and make the authorities at all levels fully aware of the international standards that protect them, including the UN Declaration on Human Rights Defenders.[98]

70. CIVICUS indicated that the government continues to invoke restrictive legislation to limit access to information. The Law for Classification of Public Documents and the Decree No 418-2013 is in contravention of Honduras' Transparency and Access to Information Law.[99]

71. In reference to recommendations on the prevention of violence and acts of intimidation against the media and members of the political opposition,[100] the Centre for Research on Democracy (CESPAD) highlighted the environment of violence, electoral bodies' lack of independence, unequal access to the media, and the lack of transparency, procedures for conflict resolution and investigation of electoral offences in connection with the 2013 elections.[101]

5. Right to work and to just and favourable conditions of work

72. JS4 indicated that gains[102] in employment had been slow and that Honduras had adopted legislation and programmes that were undermining labour rights, particularly with regard to working conditions and social security.[103]

73. JS4 reported a lack of consensus among the State, the private sector and workers with regard to minimum wage negotiations. The State and the private sector do not pay all workers the minimum wage.[104]

74. JS9 noted discrimination against women in the workplace, particularly in the maquilas, which ask women to take pregnancy tests or test them for pregnancy and investigate their family life before hiring them.[105] JS9 also said that increased labour market flexibility was directly affecting women. Without job security, women workers did not have maternity protection.[106]

75. Joint Submission 15 (JS15) recommended that Honduras uphold the labour rights of indigenous and tribal peoples and, in particular, ensure that Miskito divers did not fall victim to labour exploitation.[107]

6. Right to social security and to an adequate standard of living

76. The COIPRODEN children's rights network reported that the Government had announced that it would seek to place at-risk children — who previously had been placed under the protection of the Honduran Institute for Children and the Family (IHNFA) — with municipalities, non-governmental organizations and churches, thereby limiting the Government's role merely to the establishment of rules and regulations and oversight of child and adolescent protection. The new institution, the Directorate for Children, Adolescents and Family, will not manage centres for the care of children.[108] MNP-CONAPREV indicated that the Directorate lacked adequate information on the number of institutions with homes for at-risk children and was therefore not properly monitoring the conditions in which such children lived or the care they received.[109]

7. Right to health

77. AI indicated that abortion is banned without any exception under the law. Honduras is yet to re-establish the legality of the Emergency Contraceptive Pill, as a 2009 decree (Acuerdo Ministerial) concerning contraception issued by the de facto authorities still remains in place.[110]

78. The COIPRODEN children's rights network noted that the lack of sexual education and the influence of conservative sectors of society on State institutions was hindering the adoption of policies and programmes that would help to reduce the high rate of teenage pregnancy.[111]

79. RedTraSex recommended the development of comprehensive health policies that would address women sex workers' needs.[112]

8. Persons with disabilities

80. JS7 provided information on the implementation of recommendations and on the current situation with regard to the enjoyment of rights by persons with disabilities.[113] It indicated that efforts had been neither consistent nor sufficient to improve the living conditions of persons with disabilities.[114]

81. JS7 recommended compliance with the Act on Equity and Comprehensive Development for Persons with Disabilities and the promotion of programmes to help such persons find employment.[115]

82. JS7 recommended hiring specialized physicians to provide public services to persons with disabilities and establishing protocols for the provision of care in health centres and for the prevention of disabilities from job-related accidents.[116]

83. JS7 recommended that specialized training in working with persons with disabilities be included in teacher training programmes and that the education system be adapted in order to provide inclusive education.[117]

9. Minorities and indigenous peoples

84. AI called on Honduras to guarantee human rights, both individual and collective, of Indigenous Peoples and Garifuna communities; prevent and ensure that violations and abuses against these communities and their leaders are investigated and punished, with reparation provided to the victims, whether the crimes were perpetrated by state or non-state actors; and guarantee their right to free, prior and informed consultation and consent when projects affect their ancestral lands or territories.[118]

85. CS urged Honduras to fully implement the Declaration on the Rights of Indigenous Peoples and ILO Convention 169.[119]

86. JS3 recommended that indigenous peoples' rights be upheld, particularly those relating to land, food and prior, free and informed consultation.[120]

87. AI called on Honduras to prevent human rights violations and abuses committed in the context of land redistribution, and to comply with the precautionary measures ordered by the IACHR in relation to peasant communities and their leaders.[121]

88. The Observatory for the Human Rights of the Indigenous Peoples of Honduras said that the United Nations Collaborative Programme on Reducing Emissions from Deforestation and Forest Degradation in Developing Countries was problematic for indigenous peoples, as there was no guarantee regarding lands as a result of the Property Act currently in force. The Observatory reported that a Garifuna organization had filed a petition with the Inter-American Commission on Human Rights and a request with the

World Bank Inspection Panel relating to the Land Administration Project and the Property Act.[122]

89. The Observatory said that two cases regarding Garifuna communities were currently before the Inter-American Court of Human Rights.[123]

90. In the light of recommendations on justice[124] and the situation in Aguán, JS1 noted the observations of the Working Group on Mercenaries and the recommendations on monitoring of private security companies. JS1 also noted the observations of the Inter-American Commission on Human Rights and the appeals made to the Honduran Government in relation to the disappearance of a campesino in 2011. JS1 recommended that Honduras ensure observance of the basic principles of justice for victims of crime and abuse of power; that prosecutors from the Public Prosecution Service apply the Minnesota Protocol and the Inter-American Convention on Forced Disappearance of Persons when investigating alleged disappearances; and that Honduras establish a committee to monitor progress in the investigation and prosecution of cases involving campesino victims of the land disputes in the Aguán region.[125]

91. JS2 said that the Government had limited its intervention in the land disputes in Bajo Aguán to the use of repressive forces to evict campesinos. The evictions had been carried out without sufficient certainty regarding the ownership and the boundaries of the lands concerned. Military and police forces have destroyed homes, schools, churches and production plants. JS2 recommended reviewing the situation in the region of Bajo Aguán, particularly the status of those who had been tried.[126] On 8 May 2014, the IACHR asked that precautionary measures be adopted for those identified as members of several campesino organizations.[127]

10. Migrants

92. The National Forum for Migration (FONAMIH) (JS16) stressed that the root causes of migration were poverty, exclusion and lack of opportunity and that child migration and the disappearance of persons were cause for concern. The Forum recommended that Honduras continue bringing national legislation into line with international standards; address the problems that give rise to migration; provide comprehensive protection to migrant children and adolescents; and adopt protocols and implement repatriation mechanisms in accordance with human rights principles.[128]

93. The COIPRODEN children's rights network expressed concern about the high numbers of unaccompanied Honduran child and adolescent migrants and about their detention, and highlighted the authorities' lack of capacity to protect repatriated minors. It was estimated that more than 15,000 children had left the country.[129]

94. JS15 recommended the development of protection mechanisms for repatriated migrant children.[130]

95. AI called on Honduras, inter alia, to provide consular assistance to Honduran migrants abroad and to strengthen bilateral and regional cooperation to improve the protection of the rights of irregular migrants, including the right to access justice and protection of children.[131]

11. Right to development and environmental issues

96. CS noted that the government is determined to proceed with agro-industrial, mining, tourism, and hydroelectric mega-projects which have negative environmental and social consequences for Indigenous groups and Afro-Indigenous Peoples.[132]

97. Franciscans International recommended promoting policies for sustainable autonomous development through community consultations.[133]

98. JS3 recommended a review of policies, programmes and procedures for granting water resource and mining concessions.[134]

99. The Observatory for the Human Rights of the Indigenous Peoples of Honduras reported that the Special Development Regions (RED) Act, had been declared unconstitutional by the Constitutional Chamber of the Supreme Court in 2012. The law had nevertheless been reintroduced and adopted in 2013 as the Special Development Zones (ZEDE) Act, which provided for the concession of strips of land to foreign investors and allowed them to establish city-states with their own laws and security arrangements. The Act provided for outsourcing of the administration of justice to other countries as an incentive to attract investors.[135]

Notes

[1] The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: www.ohchr.org.

Civil society

Individual submissions:

AI	Amnesty International, London, United Kingdom of Great Britain and Northern Ireland;
AJD	Asociación de Jueces por la Democracia, San Pedro Sula, Honduras;
Cattrachas	Red Lésbica Cattrachas, Santa Lucia, Honduras;
CESPAD	Centro de Estudios para la Democracia, Tegucigalpa M.D.C., Honduras;
CIVICUS	CIVICUS: World Alliance for Citizen Participation, Johannesburg, South Africa;
CPTRT	Centro de Prevención, Tratamiento y Rehabilitación de Víctimas de la Tortura y sus Familiares, Tegucigalpa, Honduras;
CLCGS	Congregation of Our Lady of Charity of the Good Shepherd, Genève, Switzerland;
FI	Franciscans International, Geneva, Switzerland;
Front Line Defenders	Front Line – The International Foundation for the Protection of Human Rights Defenders, Blackrock, county Dublin, Ireland;
ISHR	International Service for Human Rights, Geneva, Switzerland;
MNP-CONAPREV	Mecanismo Nacional de Prevención y Comité Nacional de Prevención Contra la Tortura y Otros Tratos Crueles, Inhumanos o Degradantes, Honduras, Tegucigalpa M.D.C., Honduras;
ODHPINH	Observatorio de los Derechos Humanos de los Pueblos Indígenas de Honduras, Sambo Creek, Honduras;
Protection International	Protection International, Brussels, Belgium;
RedTraSex-Honduras	Red de Trabajadoras Sexuales de Honduras, Tegucigalpa, Honduras;
CLCGS	Congregation of Our Lady of Charity of the Good Shepherd, Genève, Switzerland.

Joint submissions:

JS1	Joint submission No.1 by Observatorio Permanente de Derechos Humanos, (OPDHA) y Fundación San Alonzo Rodríguez, (FSAR), Tocoa, Honduras;
JS2	Joint submission No.2 by Cátedra UNESCO en Sostenibilidad en coalición con EdPAC, FIAN Honduras y La Vía Campesina Honduras;
JS3	Joint submission No.3 by Redes de organizaciones contra proyectos extractivistas en Honduras, Francisco Morazán,Honduras. Asociación Nacional de Fomento a la Agricultura Ecológica (ANAFAE) - 34 organizaciones presentes en todo el país. Alianza Hondureña ante el Cambio Climático (AHCC) - 4 redes nacionales e internacionales y 17 organizaciones. Centro Hondureño de Promoción al Desarrollo

	Comunitario (CEHPRODEC); Coalición Nacional de Redes Ambientales de Honduras; Fundación Nacional Pico Bonito (FUNAPIB);
JS4	Joint submission No. 4 by Confederación Unitaria de Trabajadores de Honduras (CUTH); Central General de Trabajadores (CGT); Confederación de Trabajadores de Honduras (CTH), Tegucigalpa, Honduras;
JS5	Joint submission No.5 by Coalición contra la Impunidad – Honduras, San Pedro Sula, Honduras; Integrada por: Asociación LGTB Arcoiris de Honduras; Asociación de Jueces por la Democracia (AJD); Asociación Intermunicipal de Desarrollo y Vigilancia Social de Honduras (AIDEVISH); Asociación Nacional de Personas viviendo con SIDA (ASONAPVSIDA); CARITAS – Diócesis de San Pedro Sula; Centro de Derechos de Mujeres (CDM); Centro de Estudios de la Mujer Honduras (CEM-H); Centro de Investigación y Promoción de Derechos Humanos (CIPRODEH); Colectivo Gemas; Colectivo Unidad Color Rosa; Comité de Familiares de Detenidos Desaparecidos de Honduras (COFADEH); Comité por la Libre Expresión C-Libre; Comunidad Gay Sampedrana para la Salud Integral; Convergencia por los Derechos Humanos de la Zona Nor Occidental; Crisálidas de Villanueva; Equipo de Monitoreo Independiente de Honduras (EMIH); Equipo de Reflexión, Investigación y Comunicación/Radio Progreso (ERIC-RP); Feministas Universitarias; Frente Amplio del COPEMH; Foro de Mujeres por la Vida; Foro Social de la Deuda Externa y Desarrollo de Honduras (FOSDEH); Movimiento Amplio por la Dignidad y la Justicia (MADJ); Movimiento Diversidad en Resistencia (MDR); Movimiento de Mujeres por la Paz "Visitación Padilla"; Red de Mujeres Jóvenes de Cortés; Red de Mujeres Unidas de Colonia "Ramón Amaya Amador"; Red de Participación de Organizaciones de Sociedad Civil Siguatepeque (RPOSC); Red Nacional de Defensoras de Derechos Humanos en Honduras ; Tribuna de Mujeres contra los Femicidios;
JS6	Joint submission No. 6 by Comite de la Diversidad Sexual de Honduras: Asociación Kukulcán; Asociación Colectivo Violeta; Asociación LGTB Arcoiris de Honduras; Grupo Ixchel; Grupo Litos; Asociación Cozumel Trans; Asociación APUVIMEH; Tegucigalpa, Honduras;
JS7	Joint submission No. 7 by Alianza del Sector de Discapacidad de Honduras: Federación Nacional de Organismos de Personas con Discapacidad de Honduras (FENOPDIH) – Federación Nacional de Padres de Personas con Necesidades Especiales de Honduras (FENAPAPEDISH) – Coordinadora de Instituciones y Asociaciones de Rehabilitación en Honduras (CIARH), Tegucigalpa, Honduras;
JS8	Joint submission No. 8 by Comité de Familiares de Detenidos Desaparecidos en Honduras, COFADEH; Asociación para una Ciudadanía Participativa, ACI-PARTICIPA; Casa Alianza Honduras; Alternativas en Comunicación, ALTER-ECO, Tegucigalpa, Honduras;
JS9]	Joint submission No. 9 by Asociadas por lo Justo JASS; Centro de Derechos de Mujeres CDM; Centro de Estudios de la Mujer Honduras CEMH; Foro de Mujeres por la Vida ; Red Nacional de Defensoras de Derechos Humanos de Honduras ; San Pedro Sula, Honduras;
JS10	Joint submission No.10 by PEN International, London, United Kingdom of Great Britain and Northern Ireland; PEN Canada and the International Human Rights Program at the University of Toronto Faculty of Law (IHRP), Canada;
JS11	Joint submission No.11 by ARTICLE 19, London, United Kingdom of

	Great Britain and Northern Ireland and the Comité por la Libre Expresión (C-Libre);
JS12	Joint submission No. 12 by Coordinadora de Instituciones Privadas por los Derechos de la Niñez (COIPRODEN), Tegucigalpa,Honduras;
JS13	Joint submission No. 13 by Cultural Survival, Cambridge, MA,United States of America; Grassroots International, Boston, Massachusetts, United States of America; Observatorio de Derechos Humanos de los Pueblos Indigenas y Negros de Honduras (ODHPINH), Honduras;
JS14	Joint submission No.14 by The Advocates for Human Rights (The Advocates), Minneapolis,United States of America; The International Action Network on Small Arms (IANSA), New York, United States of America and; Comité de América Latina y el Caribe para la Defensa de los Derechos de las Mujeres (CLADEM -H)–Honduras;
JS15	Joint submission No. 15 by Asociación de Jueces por la Democracia (AJD), Comité de Familiares de Detenidos Desaparecidos en Honduras (COFADEH), Equipo de Reflexión, Investigación y Comunicación de la Compañía de Jesús en Honduras (ERIC-SJ), Honduras; Centro por la Justicia y el Derechos Internacional (CEJIL), San José, Costa Rica;
JS16	Joint submission No. 16 by Foro Nacional para las Migraciones en Honduras, Tegucigalpa,Honduras;

Regional intergovernmental organization(s):

IACHR	Inter-American Court of Human Rights, San José, Costa Rica;
IACHR-OAS	Inter-American Commission on Human Rights-Organization of American States, Washington, D.C., United States of America.

[2] The following abbreviations have been used in the present document:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
OP-ICESCR	Optional Protocol to ICESCR
ICCPR	International Covenant on Civil and Political Rights
ICCPR-OP 1	Optional Protocol to ICCPR
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
OP-CEDAW	Optional Protocol to CEDAW
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
OP-CAT	Optional Protocol to CAT
CRC	Convention on the Rights of the Child
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography
OP-CRC-IC	Optional Protocol to CRC on a communications procedure
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
CRPD	Convention on the Rights of Persons with Disabilities
OP-CRPD	Optional Protocol to CRPD
ICPPED	International Convention for the Protection of All Persons from Enforced Disappearance.

[3] Joint Submission 8 by Comité de Familiares de Detenidos Desaparecidos en Honduras, COFADEH; Asociación para una Ciudadanía Participativa, ACI-PARTICIPA; Casa Alianza Honduras; Alternativas en Comunicación, ALTER-ECO, para. 37.

[4] COIPRODEN, page 2. See also Joint Submission 9, Joint Submission 5, AI and Joint submission 14.

[5] Joint Submission 2 by Cátedra UNESCO en Sostenibilidad en coalición con EdPAC, FIAN Honduras y La Vía Campesina Honduras, recommendation 10.
[6] Joint Submission 5 by Coalición contra la Impunidad, para.43.
[7] Joint Submission 9 by Asociadas por lo Justo JASS; Centro de Derechos de Mujeres CDM; Centro de Estudios de la Mujer Honduras CEMH; Foro de Mujeres por la Vida; Red Nacional de Defensoras de Derechos Humanos de Honduras, para. 19.
[8] Confederación Unitaria de Trabajadores de Honduras (CUTH); Central General de Trabajadores (CGT); Confederación de Trabajadores de Honduras (CTH), para. 23.
[9] Joint Submission 5 Coalición contar la Impunidad, para. 43.
[10] AI, page 3.
[11] Joint Submission 1 by Observatorio Permanente de Derechos Humanos, (OPDHA) y Fundación San Alonzo Rodríguez, (FSAR), para.6.
[12] Protection International, page 2.See also Joint Submission 5 by Coalición contra la Impunidad, para.43.
[13] Joint Submission 1 by Observatorio Permanente de Derechos Humanos, (OPDHA) y Fundación San Alonzo Rodríguez, (FSAR), para.18.4.
[14] Joint Submission 15 by Asociación de Jueces por la Democracia (AJD), Comité de Familiares de Detenidos Desaparecidos en Honduras (COFADEH), Equipo de Reflexión, Investigación y Comunicación de la Compañía de Jesús en Honduras (ERIC-SJ), Honduras; Centro por la Justicia y el Derechos Internacional (CEJIL), para.28. See also Corte Interamericana de Derechos Humanos *Caso Luna Lopez Vs. Honduras*, Sentencia de 10 de octubre de 2013.
[15] CIVICUS, para. 6.1.See also submission from FrontLine Defenders.
[16] Joint Submission 10 (PEN International, London, United Kingdom of Great Britain and Northern Ireland; PEN Canada and the International Human Rights Program at the University of Toronto Faculty of Law (IHRP)), para. 74 k) to m). See also Joint Submission 8 by Comité de Familiares de Detenidos Desaparecidos en Honduras, COFADEH ; Asociación para una Ciudadanía Participativa, ACI-PARTICIPA ; Casa Alianza Honduras ; Alternativas en Comunicación, ALTER-ECO, paras.14-21.
[17] Observatorio de los Derechos Humanos de los Pueblos Indígenas de Honduras, page 4.
[18] Joint Submission 2 by Cátedra UNESCO en Sostenibilidad en coalición con EdPAC, FIAN Honduras y La Vía Campesina Honduras, recommendations 1 and 4.
[19] AI, page 1. See also Mid-term report of Honduras (http://lib.ohchr.org/HRBodies/UPR/Documents/Session9/HN/Honduras_1.pdf).
[20] COIPRODEN, page 9.
[21] Joint Submission 10 (PEN International, London, United Kingdom of Great Britain and Northern Ireland; PEN Canada and the International Human Rights Program at the University of Toronto Faculty of Law (IHRP)) , paras. 46-48.
[22] Joint Submission 1 by Observatorio Permanente de Derechos Humanos, (OPDHA) y Fundación San Alonzo Rodríguez, (FSAR), paras.14.2 y 18.2.
[23] ISHR, page 2. See also submission from CIVICUS, para. 6.2, as well as from COIPRODEN and cases cited, page 8.
[24] CIVICUS, para. 6.2. See also submission from COIPRODEN and cases cited, page 8.
[25] Joint Submission 8 by Comité de Familiares de Detenidos Desaparecidos en Honduras, COFADEH; Asociación para una Ciudadanía Participativa, ACI-PARTICIPA; Casa Alianza Honduras; Alternativas en Comunicación, ALTER-ECO, para. 30.
[26] Alianza del Sector Discapacidad (Joint Submission 7), paras. 12-15. See also COIPRODEN, pages 2-3. See also submission from Joint Submission 10 (PEN International, London, United Kingdom of Great Britain and Northern Ireland; PEN Canada and the International Human Rights Program at the University of Toronto Faculty of Law (IHRP)) , paras. 43-45.
[27] Joint Submission 1 by Observatorio Permanente de Derechos Humanos, (OPDHA) y Fundación San Alonzo Rodríguez, (FSAR), para.14.2. See also recommendations in A/HRC/16/10, paras.82.10 (Panama); 82.12 (Peru); 82.18 (Colombia); 82.67 (Mexico).
[28] COIPRODEN, page 9.
[29] COIPRODEN, page 3.

[30] Joint Submission 8 by Comité de Familiares de Detenidos Desaparecidos en Honduras, COFADEH; Asociación para una Ciudadanía Participativa, ACI-PARTICIPA; Casa Alianza Honduras; Alternativas en Comunicación, ALTER-ECO, para. 27.

[31] AI, pages 1 and 3. Joint Submission 1 by Observatorio Permanente de Derechos Humanos, (OPDHA) y Fundación San Alonzo Rodriguez, (FSAR), para.29.2

[32] COIPRODEN, pages 6-7.

[33] Comité de la Diversidad Sexual (Joint Submission 6), page 7.

[34] AI, page 5.

[35] Joint Submission 5 by Coalición contra la Impunidad, para.43.

[36] Joint Submission 2 by Cátedra UNESCO en Sostenibilidad en coalición con EdPAC, FIAN Honduras y La Vía Campesina Honduras, recommendation 6.

[37] COIPRODEN, page 9.

[38] Joint Submission 2 by Cátedra UNESCO en Sostenibilidad en coalición con EdPAC, FIAN Honduras y La Vía Campesina Honduras, recommendation 6.

[39] Joint Submission 1 by Observatorio Permanente de Derechos Humanos, (OPDHA) y Fundación San Alonzo Rodriguez, (FSAR), para.29.3. See also Joint Submission 2.

[40] Joint Submission 10 (PEN International, London, United Kingdom of Great Britain and Northern Ireland; PEN Canada and the International Human Rights Program at the University of Toronto Faculty of Law (IHRP)), para. 74 t).

[41] Joint Submission 2 by Cátedra UNESCO en Sostenibilidad en coalición con EdPAC, FIAN Honduras y La Vía Campesina Honduras, recommendation 7.

[42] Joint Submission 5 by Coalición contra la Impunidad, para. 43.

[43] CS, page 1.

[44] AI, page 5.

[45] Cattrachas, page 1.

[46] RedTraSex, pages 1 to 6.

[47] A/HRC/16/10, para. 82.22 (**Switzerland**) and para. 82.24 (**Uruguay**).

[48] Congregation of Our Lady of Charity of the Good Shepherd (CLCGS), pages 1-2. See submission for cases cited. See also submission from COIPRODEN, page 4. See also Joint Submission 8 by Comité de Familiares de Detenidos Desaparecidos en Honduras, COFADEH; Asociación para una Ciudadanía Participativa, ACI-PARTICIPA; Casa Alianza Honduras; Alternativas en Comunicación, ALTER-ECO, para.22.

[49] RedTraSex, page 6.

[50] AI, page 5. See also Joint Submission 1 by Observatorio Permanente de Derechos Humanos, (OPDHA) y Fundación San Alonzo Rodriguez, (FSAR), para. 18.1.

[51] MNP-CONAPREV, paras. 3-5. See also Joint Submission 15 by Asociación de Jueces por la Democracia (AJD), Comité de Familiares de Detenidos Desaparecidos en Honduras (COFADEH), Equipo de Reflexión, Investigación y Comunicación de la Compañía de Jesús en Honduras (ERIC-SJ), Honduras; Centro por la Justicia y el Derechos Internacional (CEJIL), para. 29.

[52] Joint Submission 8 by Comité de Familiares de Detenidos Desaparecidos en Honduras, COFADEH; Asociación para una Ciudadanía Participativa, ACI-PARTICIPA; Casa Alianza Honduras; Alternativas en Comunicación, ALTER-ECO, para. 39.

[53] Joint Submission 8 by Comité de Familiares de Detenidos Desaparecidos en Honduras, COFADEH; Asociación para una Ciudadanía Participativa, ACI-PARTICIPA; Casa Alianza Honduras; Alternativas en Comunicación, ALTER-ECO, para. 39. See also Corte Interamericana de Derechos Humanos, *Caso Juan Humberto Sanchez Vs. Honduras*, Resolución de 22 de agosto de 2013.

[54] Centro de Prevención, Tratamiento y Rehabilitación de Víctimas de la Tortura a sus Familiares, page 5.

[55] Centro de Prevención, Tratamiento y Rehabilitación de Víctimas de la Tortura a sus Familiares, page 5.

[56] MNP-CONAPREV, paras 12-19.

[57] MNP-CONAPREV, para. 30.

[58] Report of the IACHR on the situation of persons deprived of liberty in Honduras, March 18, 2013. See also submission from Centro de Prevención, Tratamiento y Rehabilitación de Víctimas de la Tortura a sus Familiares, page 6. See also Rafael Arturo Pacheco Teruel et al; Deaths due to fire in

the Jail of San Pedro Sula (Letter of submission to the Court and Merits Report) Case 12.680, Honduras March 11, 2011.

[59] JointSubmissin14 by The Advocates for Human Rights (The Advocates), Minneapolis,United States of America ; The International Action Network on Small Arms (IANSA), New York, United States of America and; Comité de América Latina y el Caribe para la Defensa de los Derechos de las Mujeres (CLADEM -H), pages 1-8.

[60] JointSubmissin14 by The Advocates for Human Rights (The Advocates), Minneapolis,United States of America ; The International Action Network on Small Arms (IANSA), New York, United States of America and; Comité de América Latina y el Caribe para la Defensa de los Derechos de las Mujeres (CLADEM -H), para.29. See also Joint Submission 9 by Asociadas por lo Justo JASS; Centro de Derechos de Mujeres CDM; Centro de Estudios de la Mujer Honduras CEMH; Foro de Mujeres por la Vida; Red Nacional de Defensoras de Derechos Humanos de Honduras.

[61] COIPRODEN, pages 6-7.

[62] COIPRODEN, page 3.

[63] Confederación Unitaria de Trabajadores de Honduras (CUTH); Central General de Trabajadores (CGT); Confederación de Trabajadores de Honduras (CTH), paras. 18-23. See also Joint Submission 8 by Comité de Familiares de Detenidos Desaparecidos en Honduras, COFADEH; Asociación para una Ciudadanía Participativa, ACI-PARTICIPA; Casa Alianza Honduras; Alternativas en Comunicación, ALTER-ECO, para.26.

[64] COIPRODEN, page 5. Joint Submission 8 by Comité de Familiares de Detenidos Desaparecidos en Honduras, COFADEH; Asociación para una Ciudadanía Participativa, ACI-PARTICIPA; Casa Alianza Honduras; Alternativas en Comunicación, ALTER-ECO, para. 28.

[65] AI, page1.

[66] A/HRC/16/10, paras.82.54 (**Azerbaijan**), 82.55 (**Ghana**), 82.56 (**Slovenia**), 82.57 (**Hungary**), 82.58 (**Brazil**), 82.59 (**United Kingdom**), 82.60 (**Nigeria**), 82.61 (**Poland**), 82.62 (**Slovakia**), 82.63 (**Switzerland**). Joint Submission 8 by Comité de Familiares de Detenidos Desaparecidos en Honduras, COFADEH; Asociación para una Ciudadanía Participativa, ACI-PARTICIPA; Casa Alianza Honduras; Alternativas en Comunicación, ALTER-ECO, para. 11-13. See submission for cases cited.

[67] Asociación de Jueces por la Democracia (AJD), pages 1-.

[68] Joint Submission 5 by Coalición contra la Impunidad, para.43.

[69] AI, page 4.

[70] IACHR Press Release. IACHR Takes Case involving Honduras to the Inter-American Court, 2 April 2014. See also submissions from Asociación de Jueces por la Democracia (AJD), para.12.

[71] AI, page1. See also submissions from Asociación de Jueces por la Democracia (AJD), para. 14; IACHR: Press Release -3/13 - In View of Sit.ation in Honduras, IACHR Stresses Importance of Principle of Independence of the Judiciary. Washington, D.C., January 3, 2013; Centro de Prevención, Tratamiento y Rehabilitación de Víctimas de la Tortura a sus Familiares, page 2; Observatorio de los Derechos Humanos de los Pueblos Indígenas de Honduras, page 1 and JS8 para.12.

[72] AI, page1.

[73] Comité de la Diversidad Sexual (Joint Submission 6), page 8.

[74] AI, page 5. See also submission from Cattrachas and cases cited.

[75] Joint Submission 9 by Asociadas por lo Justo JASS; Centro de Derechos de Mujeres CDM; Centro de Estudios de la Mujer Honduras CEMH; Foro de Mujeres por la Vida; Red Nacional de Defensoras de Derechos Humanos de Honduras.

[76] AI, page 5.

[77] MNP-CONPREV, para.7.

[78] Joint Submission 3 by Redes de organizaciones contra proyectos extractivistas en Honduras, Francisco Morazán,Honduras. Asociación Nacional de Fomento a la Agricultura Ecológica (ANAFAE) - 34 organizaciones presentes en todo el país. Alianza Hondureña ante el Cambio Climático (AHCC) - 4 redes nacionales e internacionales y 17 organizaciones. Centro Hondureño de Promoción al Desarrollo Comunitario (CEHPRODEC); Coalición Nacional de Redes Ambientales de Honduras; Fundación Nacional Pico Bonito (FUNAPIB), page 9.

[79] Joint Submission 8 by Comité de Familiares de Detenidos Desaparecidos en Honduras, COFADEH; Asociación para una Ciudadanía Participativa, ACI-PARTICIPA; Casa Alianza Honduras; Alternativas en Comunicación, ALTER-ECO, para. 24.

[80] Centro de Prevención, Tratamiento y Rehabilitación de Víctimas de la Tortura a sus Familiares, page 3.
[81] COIPRODEN, pages 7-8.
[82] MNP-CONAPREV, paras 20-23.
[83] AI, page 4. See also submission from Cultural Survival and ISHR.
[84] Joint Submission 10 (PEN International, London, United Kingdom of Great Britain and Northern Ireland; PEN Canada and the International Human Rights Program at the University of Toronto Faculty of Law (IHRP)) , paras. 49-52.
[85] Joint Submission 8 by Comité de Familiares de Detenidos Desaparecidos en Honduras, COFADEH; Asociación para una Ciudadanía Participativa, ACI-PARTICIPA; Casa Alianza Honduras; Alternativas en Comunicación, ALTER-ECO, para. 40.
[86] Joint submission 11 by Article 19 and C-Libre, pages 1-4. See submission for cases cited.
[87] Joint Submission 10 (PEN International, London, United Kingdom of Great Britain and Northern Ireland; PEN Canada and the International Human Rights Program at the University of Toronto Faculty of Law (IHRP)) page 1-4. See submission for cases cited. See also submission from CIVICUS, para. 4.1 and cases cited.
[88] Joint Submission 10 (PEN International, London, United Kingdom of Great Britain and Northern Ireland; PEN Canada and the International Human Rights Program at the University of Toronto Faculty of Law (IHRP)) para 28. See also submission from the Interamerican Commission on Human Rights.
[89] Protection International, page 1. See also submission from the Interamerican Commission on Human Rights.
[90] CIVICUS, para. 6.3.
[91] FrontLine, pages 1-5. See submission for cases cited.
[92] FI, paras. 6-10. See text of recommendation in A/HRC/16/10, para. 81.2 (**Ireland**); para. 82.19 (**United Kingdom of Great Britain**); para. 82.29 (**Austria**); 82.30 (**Canada**); para. 82.31 (**Ireland**); para. 82.33 (**France**); para. 82.67 (**Mexico**); para. 82.80 (**Canada**); para. 82.99 (**Uruguay**); para. 83.9 (**Chile**).
[93] Joint Submission 3 by Redes de organizaciones contra proyectos extractivistas en Honduras, Francisco Morazán,Honduras. Asociación Nacional de Fomento a la Agricultura Ecológica (ANAFAE) - 34 organizaciones presentes en todo el país. Alianza Hondureña ante el Cambio Climático (AHCC) - 4 redes nacionales e internacionales y 17 organizaciones. Centro Hondureño de Promoción al Desarrollo Comunitario (CEHPRODEC); Coalición Nacional de Redes Ambientales de Honduras; Fundación Nacional Pico Bonito (FUNAPIB), page 9. See also Joint Submission 8, by Comité de Familiares de Detenidos Desaparecidos en Honduras, COFADEH; Asociación para una Ciudadanía Participativa, ACI-PARTICIPA; Casa Alianza Honduras; Alternativas en Comunicación, ALTER-ECO, paras. 31-36.
[94] ISHR, page 2.
[95] Joint submission 11 by Article 19 and C-Libre, pages 1-4 and cases cited. See also Joint Submission 9 by Asociadas por lo Justo JASS; Centro de Derechos de Mujeres CDM; Centro de Estudios de la Mujer Honduras CEMH; Foro de Mujeres por la Vida; Red Nacional de Defensoras de Derechos Humanos de Honduras, paras. 37-40 and case cited.
[96] CS, page 5.
[97] CIVICUS, para. 3.1 and 3.5. See submission for cases cited in paragraphs 3.2 to 3.7.
[98] AI, page 4. See AI submission, page 2, for cases cited. See also submission from Protection International, page 2.
[99] CIVICUS, para. 4.1. See also Joint Submission 8.
[100] CESPAD, page 1. See text of recommendation in A/HRC/16/10, para. 82.94 (**Switzerland**).
[101] CESPAD, pages 1-5.
[102] A/HRC/16/10, paras.82.101 (**Colombia**); 82.102 (**Holy See**); 82.103 (**Azerbaijan**); 82.108 (**Angola**).
[103] Joint Submission 4 by Confederación Unitaria de Trabajadores de Honduras (CUTH); Central General de Trabajadores (CGT); Confederación de Trabajadores de Honduras (CTH), paras. 14-16.
[104] Joint Submission 4 by Confederación Unitaria de Trabajadores de Honduras (CUTH); Central General de Trabajadores (CGT); Confederación de Trabajadores de Honduras (CTH), paras. 14-16.

[105] Joint Submission 9 by Asociadas por lo Justo JASS; Centro de Derechos de Mujeres CDM; Centro de Estudios de la Mujer Honduras CEMH; Foro de Mujeres por la Vida ; Red Nacional de Defensoras de Derechos Humanos de Honduras, para. 19.

[106] Joint Submission 9 by Asociadas por lo Justo JASS; Centro de Derechos de Mujeres CDM; Centro de Estudios de la Mujer Honduras CEMH; Foro de Mujeres por la Vida; Red Nacional de Defensoras de Derechos Humanos de Honduras, paras. 28-31.

[107] Joint Submission 15 by Asociación de Jueces por la Democracia (AJD), Comité de Familiares de Detenidos Desaparecidos en Honduras (COFADEH), Equipo de Reflexión, Investigación y Comunicación de la Compañía de Jesús en Honduras (ERIC-SJ), Honduras; Centro por la Justicia y el Derechos Internacional (CEJIL), para.31.

[108] COIPRODEN, page 3.

[109] MNP-CONAPREV, paras 24-25.

[110] AI, page 3.See also COIPRODEN, page 5.

[111] COIPRODEN, page 5.

[112] RedTraSex, page 6.

[113] Alianza del Sector Discapacidad (Joint Submission 7), paras. 12-15.

[114] Alianza del Sector Discapacidad (Joint Submission 7), paras. 12-15.

[115] Alianza del Sector Discapacidad (Joint Submission 7), para.46.

[116] Alianza del Sector Discapacidad (Joint Submission 7), para.29.

[117] Alianza del Sector Discapacidad (Joint Submission 7), para.22.

[118] AI, page 4. See also Joint Submission 5 by Coalición contra la Impunidad, para.43.

[119] CS, page 5.

[120] Joint Submission 3 by Redes de organizaciones contra proyectos extractivistas en Honduras, Francisco Morazán,Honduras. Asociación Nacional de Fomento a la Agricultura Ecológica (ANAFAE) - 34 organizaciones presentes en todo el país. Alianza Hondureña ante el Cambio Climático (AHCC) - 4 redes nacionales e internacionales y 17 organizaciones. Centro Hondureño de Promoción al Desarrollo Comunitario (CEHPRODEC); Coalición Nacional de Redes Ambientales de Honduras; Fundación Nacional Pico Bonito (FUNAPIB), page 9.

[121] AI, page 4. See AI submission, pages 2-3 for cases cited. See also submission from the Interamerican Commission on Human Rights.

[122] Observatorio de los Derechos Humanos de los Pueblos Indígenas de Honduras, pages 4-5. See also submission from the Interamerican Commission on Human Rights, including Report No. 93/13, Petition 1063-07, Jesús Flores Satuye et al.

[123] Observatorio de los Derechos Humanos de los Pueblos Indígenas de Honduras, pages 4-5.See submission from the Interamerican Commission on Human Rights: Garifuna Community of "Triunfo de la Cruz" and its Members, Honduras Case 12.548 Date of submission to the Court: February 21, 2013. Press Release. Merits of the case and Letter of submission of the case to the Court; Garifuna Community of Punta Piedra and its Members, Honduras Case 12.761. Press Release. Date of submission to the Court: October 1, 2013. The letter of submission to the Court and the Merits Report

[124] A/HRC/16/10, paras. 82.63 (**Switzerland**), 82.64 (**Netherlands**), 82.65 (**Costa Rica**) and 82.73 (**Canada**).

[125] Joint Submission 1 by Observatorio Permanente de Derechos Humanos, (OPDHA) y Fundación San Alonzo Rodríguez, (FSAR), paras. 19-28 and 29.1. See submission for cases cited. See submission from the Interamerican Commission on Human Rights: 94/14 - IACHR expresses concern over threats against and arrests of campesino leaders in Bajo Aguán, Honduras. Washington, D.C., August 29, 2014.

[126] Joint Submission 2 by Cátedra UNESCO en Sostenibilidad en coalición con EdPAC, FIAN Honduras y La Vía Campesina Honduras, recommendations 1 and 4.

[127] IACHR Precautionary Measures, PM 50/14 - Campesino Leaders of Bajo Aguán, Honduras. Available http://www.oas.org/en/iachr/decisions/precautionary.asp

[128] Foro Nacional para las Migraciones -FONAMIH (JS16), pages 4-5. See also FI, para. 18 ; Joint Submission 8 by Comité de Familiares de Detenidos Desaparecidos en Honduras, COFADEH ; Asociación para una Ciudadanía Participativa, ACI-PARTICIPA ; Casa Alianza Honduras ; Alternativas en Comunicación, ALTER-ECO, para. 23 and; Congregation of Our Lady of Charity of the Good Shepherd (CLCGS), pages 1and 3.

[129] COIPRODEN, pages 3-4. See also Joint Submission 8 by Comité de Familiares de Detenidos Desaparecidos en Honduras, COFADEH; Asociación para una Ciudadanía Participativa, ACI-PARTICIPA; Casa Alianza Honduras; Alternativas en Comunicación, ALTER-ECO, para.28.

[130] Joint Submission 15 by Asociación de Jueces por la Democracia (AJD), Comité de Familiares de Detenidos Desaparecidos en Honduras (COFADEH), Equipo de Reflexión, Investigación y Comunicación de la Compañía de Jesús en Honduras (ERIC-SJ), Honduras; Centro por la Justicia y el Derechos Internacional (CEJIL), para. 27.

[131] AI, page 5.

[132] Cultural Survival, page 1.

[133] FI, para. 29. See also submission from Congregation of Our Lady of Charity of the Good Shepherd (CLCGS), pages 3-4.

[134] Joint Submission 3 by Redes de organizaciones contra proyectos extractivistas en Honduras, Francisco Morazán,Honduras. Asociación Nacional de Fomento a la Agricultura Ecológica (ANAFAE) - 34 organizaciones presentes en todo el país. Alianza Hondureña ante el Cambio Climático (AHCC) - 4 redes nacionales e internacionales y 17 organizaciones. Centro Hondureño de Promoción al Desarrollo Comunitario (CEHPRODEC); Coalición Nacional de Redes Ambientales de Honduras; Fundación Nacional Pico Bonito (FUNAPIB), page 9.

[135] Observatorio de los Derechos Humanos de los Pueblos Indígenas de Honduras, page 1.